NOTICE OF REGULAR MEETING
BASTROP CITY COUNCIL
May 8, 2012 6:00 P.M.

Pursuant to the Texas Government Code, Chapter 551, the City Council of Bastrop, Texas will hold a regular meeting on **May 8, 2012 at 6:00 p.m**. at Council Chambers of City Hall, 1311 Chestnut Street, Bastrop, Texas and will consider the following matters to wit:

REGULAR MEETING	TAB	PAGE	ORIGINATOR	STATUS

ANNOUNCEMENTS

1. Call to Order
2. Pledge of Allegiance and Invocation
3. Presentations
   A. Character Education – Bastrop Student
4. Proclamations
   A. Preservation Month
   B. Relay For Life
5. Announcements

CITY MANAGER INFORMATIONAL UPDATE REPORT: Items for update, discussion and possible action:

A. Meetings and Events Attended:
   1. Cemetery Board meeting on April 26, 2012.
   2. Planning & Zoning Commission meeting on March 26, 2012.
   3. Parks Board meeting on May 3, 2012.
   4. City Council Retreat on May 5, 2012.
   5. Environmental Stewardship – Texas Water Development Board Petition Hearing in Milano on March 7, 2012.
   6. Association of Wholesale Customers of LCRA meeting in Johnson City on March 8, 2012.

B. Update on City Projects:
   1. Status of new sidewalk behind the Library.
   2. Possible discussion of the Planning Retreat on May 5, 2012.
   3. Splash Pad Project.
   4. New sewer line for Fisherman's Park.
   5. Opening of bids for Phase II Chestnut Street Sidewalk Improvements Project.
   6. Revisions to the City of Bastrop's Park Ordinance.
   7. Pecan Street Wastewater Improvements Project.
   8. Mowing of City rights-of-ways and parks.
   9. Review of proposed benches on Main Street.
   10. Approval of Final Process for requesting Hotel Occupancy Tax (HOT) funds.
   11. Approval of Final Process for requesting Community Services funds.
   12. Water well operations in Fisherman's Park.

C. Update on City Business:
   1. Convention Center Activities.
   2. Main Street Program Activities.
   3. Commercial/Residential Construction Projects in the City.
   4. YMCA Activities.

D. Department and Board Reports.

E. Inviting input from Council related to issues for possible inclusion on future agendas, related to issues such as (but not limited to) municipal projects, personnel, public property, development and other City/public business.

A. CONSENT AGENDA

All of the following items on the Consent Agenda are considered to be self-explanatory by the Council and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member so requests.

A.1 Approval of meeting minutes of April 24, 2012.	A.1	10	Teresa Valdez	
A.2 Approval of Bastrop Marketing Corporation's request for reimbursement of expenses.	A.2	19	Karla Stovall	

A.3 Adoption of a Resolution of the City Council of Bastrop approving a project (a grant to SP Bastrop Theatre, LP, for renovations and new construction at the former Chestnut Square Entertainment Center located at 1600 Chestnut Street, Bastrop, Texas, in the amount of $100,000), using funds provided by the Bastrop Economic Development Corporation, in an amount exceeding $10,000.	A.3	24	Dave Quinn
A.4 Adoption of a Resolution of the City Council of Bastrop approving a project (a Rail Market Survey in the amount of $15,750), using funds provided by the Bastrop Economic Development Corporation, in an amount exceeding $10,000.	A.4	27	Dave Quinn
A.5 Adoption of an Ordinance of the City Council of the City of Bastrop, Texas amending the Bylaws of the Hunters Crossing Local Government Corporation, providing a severability clause, repealing conflicting ordinances; and providing an effective date.	A.5	30	Mike Talbot
A.6 Approval of waiver of fee for hanging banner per request from Keep Bastrop County Beautiful.	A.6	34	Teresa Valdez

B. PUBLIC HEARINGS:

B.1 PUBLIC HEARING: To receive public input/comments regarding a request to vacate Hunters Crossing, Section 8A. The plat to be vacated consists of approximately 12.455 acres on the Hunters Crossing Subdivision located west of Highway 304 and south of Home Depot Way, In the city limits of Bastrop, Texas.	B.1	36	Melissa McCollum
B.2 Consideration, discussion and possible action to vacate Hunters Crossing, Section 8A. The plat to be vacated consists of approximately 12.455 acres in the Hunters Crossing Subdivision located west of Highway 304 and south of Home Depot Way, in the city limits of Bastrop, Texas.	B.2	46	Melissa McCollum

B.3 Citizen Comments.

* *

Executive Session: The Council reserves the right to convene into Executive Session at any time during the meeting regarding any agenda item. In compliance with the Open Meetings Act, Chapter 551 Government Code, Vernon's Texas Code, Annotated, the item below will be discussed in closed session.

1. Section 551.071 – Consultations with Attorney

* *

C. OLD BUSINESS

D. NEW BUSINESS

ORDINANCES FOR FIRST READING:

ORDINANCES AND OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION:

D.1 Consideration, discussion and possible action on adjusting the speed limit on Farm Street.	D.1	51	Mike Talbot
D.2 Consideration, discussion and possible action on awarding the bid for the Bastrop Power & Light Training Building.	D.2	58	Mike Talbot

E. EXECUTIVE SESSION

E.1 The Bastrop City Council will meet in a closed/executive session pursuant to the Texas Government Code, Chapter 551 to discuss the following:

1. Section 551.071(1)(A) and Section 551.071(2) - Consultations with Attorney: (1) threatened and/or contemplated litigation, and (2) matters upon which the Attorney has a duty and/or responsibility to report to the governmental body.
2. Section 551.072 - Deliberations about Real Property: Acquisition, exchange, lease or value of real property for public purposes.

E.2 The Bastrop City Council will reconvene into open session to discuss, consider and/or take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

F. ADJOURNMENT

CERTIFICATE

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted on the bulletin board, at the City Hall of the City of Bastrop, Texas, a place convenient and readily accessible to the general public at all times, and said notice was posted the 4th day of April at 11:30 a.m. Copies of this agenda have been provided to those members of the media requesting such information.

Teresa Valdez

Teresa Valdez, City Secretary

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS THE CITY OF BASTROP IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT. BASTROP CITY HALL AND COUNCIL CHAMBERS ARE WHEELCHAIR ACCESSIBLE AND SPECIAL MARKED PARKING IS AVAILABLE. PERSONS WITH DISABILITIES WHO PLAN TO ATTEND THIS MEETING AND WHO MAY NEED ASSISTANCE ARE REQUESTED TO CONTACT THE CITY SECRETARY'S OFFICE AT 512-332-8811. PLEASE PROVIDE FORTY-EIGHT HOURS NOTICE WHEN FEASIBLE.

Confirm time posted: TC

CITY OF BASTROP **AGENDA ITEM : City Manager Report**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: May 4, 2012
MEETING DATE: May 8, 2012

1. Agenda Item: **City Manager informational update report: Items for update, discussion and possible action:**
   - **A. Meetings and Events Attended:**
     1. **Cemetery Board meeting on April 26, 2012.**
     2. **Planning & Zoning Commission meeting on March 26, 2012.**
     3. **Parks Board meeting on May 3, 2012.**
     4. **City Council Retreat on May 5, 2012.**
     5. **Environmental Stewardship – Texas Water Development Board Petition Hearing in Milano on March 7, 2012.**
     6. **Association of Wholesale Customers of LCRA meeting in Johnson City on March 8, 2012.**
   - **B. Update on City Projects:**
     1. **Status of new sidewalk behind the Library.**
     2. **Possible discussion of the Planning Retreat on May 5, 2012.**
     3. **Splash Pad Project.**
     4. **New sewer line for Fisherman's Park.**
     5. **Opening of bids for Phase II Chestnut Street Sidewalk Improvements Project.**
     6. **Revisions to the City of Bastrop's Park Ordinance.**
     7. **Pecan Street Wastewater Improvements Project.**
     8. **Mowing of City rights-of-ways and parks.**
     9. **Review of proposed benches on Main Street.**
     10. **Approval of Final Process for requesting Hotel Occupancy Tax (HOT) funds.**
     11. **Approval of Final Process for requesting Community Services funds.**
     12. **Water well operations in Fisherman's Park.**
   - **C. Update on City Business:**
     1. **Convention Center Activities.**
     2. **Main Street Program Activities.**
     3. **Commercial/Residential Construction Projects in the City.**
     4. **YMCA Activities.**
   - **D. Department and Board Reports.**
   - **E. Inviting input from Council related to issues for possible inclusion on future agendas, related to issues such as (but not limited to) municipal projects, personnel, public property, development and other City/public business.**

2. Party Making Request: **Mike Talbot**

3. Nature of Request: (Brief Overview) Attachments: Yes __**X**__ No ______

____

4. Policy Implication: ____

5. Budgeted: _________Yes __________No N/A
   Bid Amount: ________________ Budgeted Amount: ________________
   Under Budget: _______________ Over Budget: _____________________
   Amount Remaining: ________________

6. Alternate Option/Costs: ____

7. Routing: **NAME/TITLE** **INITIAL** **DATE** **CONCURRENCE**
   a) ____
   b) ____
   c) ____

8. Staff Recommendation: ____

9. Advisory Board: _________Approved _________Disapproved ___________None

10. Manager's Recommendation: __________Approved __________Disapproved __________None

11. Action Taken: ____
____

Bastrop Public Library
Librarian's Report
May 7, 2012

1. Library Statistics for the month of March. Circulation statistics are down 20% compared to March 2011; gate count is down 13% compared to March 2011; programming is up 14% compared to March 2011; Internet usage is down 26% compared with March 2011 and reference requests are up 10% compared to March 2011.
2. In the month of April 303 children and adults attended Story time.
3. Through the end of April, 70 children were read to by employees at daycares using the Library's storytime boxes.
4. On Monday, April 2 Bonnie Ueckert hosted 21children from the Calvary After School program.
5. On Tuesday, April 3 Bonnie Ueckert hosted "Hop" Brown Bag movie. Twenty-nine children and adults attended the movie.
6. On Tuesday, April 3 Mickey DuVall performed Sheilah Kosco's evaluation.
7. On Tuesday, April 3 Mickey DuVall and NEG grant worker Frank Williams met with Gene Crick of MAIN to discuss long term assistance for fire victims.
8. On Wednesday, April 4 Mickey DuVall and Sheilah Kosco met with John Dees to discuss the BTOP broad band grant.
9. On Thursday, April 5 Mickey DuVall participated in a conference call between himself and Waynette Ditto (another CTLS long-range committee member) with Pat Tuohy, CEO of CTLS. The topic of conversation consisted of setting the price for CTLS continuing education classes.
10. On Thursday, April 5 Mickey DuVall and Bonnie Ueckert met with representatives of the Red Cross of Central Texas concerning a memorandum of understanding (MOU). The MOU establishes an agreement between the City of Bastrop and the Red Cross of Central Texas for the Red Cross to manage the City's emergency shelters when needed.
11. On Thursday, April 5 Bonnie Ueckert taught library skills to eight homeschool students.
12. On Thursday, April 5 Sheilah Kosco hosted a Teen Advisory Board meeting. Twenty-two teens attended the meeting.
13. On Friday, April 6 and Saturday, April 7 the library closed for the Easter holiday.
14. On Monday, April 9 Mickey DuVall and other library staff attended Tracy Board's retirement party.
15. On Monday, April 9 Bonnie Ueckert hosted 18 children from the Calvary After School program.
16. On Thursday, April 12 Sheilah Kosco hosted a video game tournament. Twenty teens participated in the tournament.
17. On Saturday, April 14 Sheilah Kosco hosted a Super Saturday event, the "Book Mark Contest Awards Ceremony." Forty-seven children and adults attended the event.
18. On Saturday, April 14 fifteen children read to Bow Wow Book Buddies.
19. On Monday, April 16 Simplex/Grinnell installed the necessary software to activate sprinkler monitoring system.
20. On Monday, April 16 Bonnie Ueckert hosted 18 children from the Calvary After School program.

21. From Wednesday, April 18 through Friday, April 20 Sheilah Kosco and Bonnie Ueckert attended the Texas Library Association annual conference in Houston.
22. On Saturday, April 21 all the carpet was cleaned throughout the library.
23. On Monday, April 23 Bonnie Ueckert hosted 23 children from the Calvary After School program.
24. On Tuesday, April 24 library staff attended an organizational meeting at city hall.
25. From Wednesday, April 25 through Friday, April 27 Sheilah Kosco attended a 300 emergency management course.
26. On Thursday, April 26 Sheilah Kosco hosted a teen open video game night. Twenty-three teens attended the event.
27. On Thursday, April 26 the Friends of the Bastrop Public Library held a regularly scheduled meeting.
28. From Monday, April 30 through Wednesday, May 2 Linda Jenkins and Melissa Bullara attended a Small Library Management seminar held in College Station.

Respectfully submitted: Mickey DuVall, Library Director

CITY OF BASTROP
UTILITY/FINANCE MONTHLY REPORT
April 28, 2012

METERS READ AND BILLED:	MONTHLY FY 2011-2012	MONTHLY COMPARISON FY 2010-2011
ELECTRICAL:		
Residential:	1973	1948
Commercial:	606	605
Key Accounts:	46	47
Total Customers:	2625	2600
WATER:		
Residential:	2240	2224
Commercial:	625	599
Total Customers:	2865	2823

SALES OF SERVICES:	MONTHLY FY 2011-2012	YEAR TO DATE FY 2011-2012	YEAR TO DATE COMPARISON FY 2010-2011
ELECTRICAL:			
KWH:	4,306,593	30,764,903	30,100,107
Amount:	$455,442.83	$3,502,189.46	$3,373,034.24
* KWH Purchased/ LCRA	4,906,045		
WATER:			
Gallons:	32,193,400	229,619,000	214,403,100
Amount:	$164,449.37	$1,126,793.18	$1,010,520.74
* Gallons Pumped/ Treated			
WASTEWATER:			
Amount:	NOT PROVIDED	$716,633.36	$696,036.08
WORK ORDERS WRITTEN:	139		
OTHER RECEIPTS:			
SALES TAX:	$256,179.17	$1,799,844.58	$1,508,870.35
ECONOMIC DEV. SALES TAX	$128,070.38	$899,787.31	$757,826.02
FRANCHISE TAX:	$36,412.02	$213,131.04	$205,395.28
OCCUPATION TAX:	$75.00	$7,730.00	$2,680.00
MIXED BEVERAGE TAX:	$4,862.36	$14,815.48	$18,845.63

*We read from approximately the 1st day through the 22ND day of the month; therefore, these are overlapping periods and difficult to compare.

Planning and Development Department
Monthly Report – April 1, 2012 – April 30, 2012

Building Permit Type	Month	YTD	2011 YTD
Single Family Residences	2	10	12
Commercial Starts	1	5	8
Miscellaneous (electrical, plumbing, HVAC, pools, sprinklers, storage buildings, patio covers, signs	31	146	73
Residential Remodels	6	21	16
Commercial Remodels	5	16	10
Total Permits Issued	45	108	148
Commercial and Residential Inspections	159	592	466

Business Information requests:
- Doughnut Shop in retail center @ 606 Hwy 95
-

Projects in Process:

Commercial Construction
- Main Street Historic Museum
- LaHacienda Restaurant, Meat Market and Tortilla Factory
- Buc-ee's Convenience Store
- Subway and Retail-Hwy 95
- TJ Maxx – Burleson
- Bastrop Market Cell Tower

Commercial Const Remodels
- Centers of Woodland – Additional Parking
- St. David's Hospital (formerly Lakeside)
- BP&L Bldg Expansion

Land Development Plans
- Covert Chevrolet-Remodel
- Bethlehem Baptist Church
- Sierra Custom Homes
- Denny's Restaurant
- Burger King
- Capps Medical Office

Site Work
- Duff Tract-Bucees Dirt
- Hunters Crsg-Bucees dirt

Subdivisions
- Hunters Crossing Sections 7B
- Bastrop Grove Preliminary Plat
- Tahitian Village – Amended Plat
- Kresge-Powell Main St Plat
- Pine Forest Amended Plat
- Pine Vista Prelim-Loop 150
- Vacation of Hunters Crsg Sec 8
- El Camino Real Amended Plat
- Riverview Heights Amended Plat
- Hunters Crossing, Section 9C
- Tahitian Village-Capps Amended Plat
- Prelim and Final Plat for Bear Hunter Drive in Hunters Crossing

Other Projects/Activities in Process:

Regulatory/Policy Documents:
- Future Land Use Plan and Thoroughfare Plan P&Z Workshop for May, 2012 Meeting

Official Meetings:
- 2 City Council Meetings
- 1 Planning and Zoning Commission Meeting
- 0 Board of Adjustment Meeting
- 1 Historic Landmark Commission Meeting
- 2 Predevelopment Meeting (Tuesdays with developers)
- 1 preconstruction meeting with contractors

Municipal Courts
Activity Detail
March 1, 2012 to March 31, 2012

100.0 Percent Reporting Rate
1 Reports Received Out of a Possible 1

Court: Bastrop

CRIMINAL CASES	Traffic Misdemeanors			Non-Traffic Misdemeanors			
	Non-Parking	Parking	City Ordinance	Penal Code	Other State Law	City Ordinance	Total
Cases Pending 3/1/2012:							
Active Cases	227	1	29	85	90	53	485
Inactive Cases	940	0	6	116	121	45	1,228
Docket Adjustments	(1)	(1)	1	1	0	0	0
Cases Added:							
New Cases Filed	74	0	2	20	35	9	140
Cases Reactivated	52	0	0	4	1	2	59
All Other Cases Added	0	0	0	0	0	0	0
Total Cases on Docket	**353**	**1**	**31**	**109**	**126**	**64**	**684**
Dispositions:							
Dispositions Prior to Court Appearance or Trial:							
Uncontested Dispositions	30	0	1	3	1	0	35
Dismissed by Prosecution	33	1	0	3	4	1	42
Total Dispositions Prior to Court Appearance or Trial	63	1	1	6	5	1	77
Dispositions at Court Appearance or Trial:							
Convictions:							
Guilty Plea or Nolo Contendere	35	0	0	10	9	7	61
By the Court	2	0	0	2	0	0	4
By the Jury	0	0	0	0	0	0	0
Acquittals:							
By the Court	0	0	0	0	0	0	0
By the Jury	0	0	0	0	0	0	0
Dismissed by Prosecution	0	0	0	1	0	0	1
Total Dispositions at Court Appearance or Trial	37	0	0	13	9	7	66
Compliance Dismissals:							
After Driver Safety Course	16	---	---	---	---	---	16
After Deferred Disposition	4	0	0	5	3	4	16
After Teen Court	0	0	0	0	0	0	0
After Tobacco Awareness Course	---	---	---	---	0	---	0
After Treatment for Chemical Dependency	---	---	---	0	0	---	0
After Proof of Financial Responsibility	2	---	---	---	---	---	2
All Other Transportation Code Dismissals	3	0	0	0	0	0	3
Total Compliance Dismissals	25	0	0	5	3	4	37
All Other Dispositions	2	0	0	5	4	0	11
Total Cases Disposed	**127**	**1**	**1**	**29**	**21**	**12**	**191**
Cases Placed on Inactive Status	34	0	0	5	6	1	46
Cases Pending 3/31/2012:							
Active Cases	192	0	30	75	99	51	447
Inactive Cases	922	0	6	117	126	44	1,215
Show Cause Hearings Held	0	0	0	0	0	0	0
Cases Appealed:							
After Trial	0	0	0	0	0	0	0
Without Trial	0	0	0	0	0	0	0

Municipal Courts
Activity Detail
March 1, 2012 to March 31, 2012

100.0 Percent Reporting Rate
1 Reports Received Out of a Possible 1

Court: Bastrop

CIVIL/ADMINISTRATIVE CASES

	Total
Cases Pending 3/1/2012:	
Active Cases	0
Inactive Cases	0
Docket Adjustments	0
Cases Added:	
New Cases Filed	0
Cases Reactivated	0
All Other Cases Added	0
Total Cases on Docket	**0**
Dispositions:	
Uncontested Civil Fines or Penalties	0
Default Judgments	0
Agreed Judgments	0
Trial/Hearing by Judge/Hearing Officer	0
Trial by Jury	0
Dismissed for Want of Prosecution	0
All Other Dispositions	0
Total Cases Disposed	**0**
Cases Placed on Inactive Status	0
Cases Pending 3/31/2012:	
Active Cases	0
Inactive Cases	0
Cases Appealed:	
After Trial	0
Without Trial	0

JUVENILE/MINOR ACTIVITY

	Total
Transportation Code Cases Filed	2
Non-Driving Alcoholic Beverage Code Cases Filed	0
Driving Under the Influence of Alcohol Cases Filed	0
Drug Paraphernalia Cases Filed	0
Tobacco Cases Filed	5
Failure to Attend School Cases Filed	8
Education Code (Except Failure to Attend) Cases Filed	2
Violation of Local Daytime Curfew Ordinance Cases Filed	3
All Other Non-Traffic Fine-Only Cases Filed	2
Transfer to Juvenile Court:	
Mandatory Transfer	0
Discretionary Transfer	4
Accused of Contempt and Referred to Juvenile Court (Delinquent Conduct)	1
Held in Contempt by Criminal Court (Fined or Denied Driving Privileges)	0
Juvenile Statement Magistrate Warning:	
Warnings Administered	0
Statements Certified	0
Detention Hearings Held	0
Orders for Non-Secure Custody Issued	0
Parent Contributing to Nonattendance Cases Filed	4

Municipal Courts
Activity Detail
March 1, 2012 to March 31, 2012

100.0 Percent Reporting Rate
1 Reports Received Out of a Possible 1

Court: Bastrop

ADDITIONAL ACTIVITY

	Number Given	Number Requests for Counsel
Magistrate Warnings:		
Class C Misdemeanors	19	---
Class A and B Misdemeanors	28	9
Felonies	6	3

	Total
Arrest Warrants Issued:	
Class C Misdemeanors	50
Class A and B Misdemeanors	6
Felonies	2
Capiases Pro Fine Issued	56
Search Warrants Issued	0
Warrants for Fire, Health and Code Inspections Filed	0
Examining Trials Conducted	0
Emergency Mental Health Hearings Held	1
Magistrate's Orders for Emergency Protection Issued	1
Magistrate's Orders for Ignition Interlock Device Issued	0
All Other Magistrate's Orders Issued Requiring Conditions for Release on Bond	0
Driver's License Denial, Revocation or Suspension Hearings Held	0
Disposition of Stolen Property Hearings Held	0
Peace Bond Hearings Held	0
Cases in Which Fine and Court Costs Satisfied by Community Service:	
Partial Satisfaction	6
Full Satisfaction	14
Cases in Which Fine and Court Costs Satisfied by Jail Credit	53
Cases in Which Fine and Court Costs Waived for Indigency	7
Amount of Fines and Court Costs Waived for Indigency	$ 3,026
Fines, Court Costs and Other Amounts Collected:	
Kept by City	$ 27,702
Remitted to State	$ 7,338
Total	$ 35,039

CITY OF BASTROP **AGENDA ITEM: A.1**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: April 25, 2012
MEETING DATE: May 8, 2012

1. Agenda Item: **Approval of meeting minutes of two City Council Meetings on April 24, 2012.**

2. Party Making Request: **Teresa Valdez, City Secretary**

3. Nature of Request: (Brief Overview) Attachments: Yes ___X___ No ______

4. Policy Implication: ________________________________

5. Budgeted: _________Yes _________No N/A
   Bid Amount: ______________ Budgeted Amount: ______________
   Under Budget: ______________ Over Budget: ______________
   Amount Remaining: ______________

6. Alternate Option/Costs: ________________________________

7. Routing: **NAME/TITLE INITIAL DATE CONCURRENCE**
   a) ________________________________
   b) ________________________________
   c) ________________________________

8. Staff Recommendation: ________________________________

9. Advisory Board: _________Approved _________Disapproved _________None

10. Manager's Recommendation: _________Approved _________Disapproved _________None

11. Action Taken: ________________________________
____

April 24, 2012

The Bastrop City Council met in regular session on April 24, 2012 at 6:00 p.m. at the Council Chambers of City Hall, 1311 Chestnut Street, Bastrop, Texas. Members present were Mayor Terry Orr and Council Members Ken Kesselus, Dock Jackson, Joe Beal and Kay Garcia McAnally.

ANNOUNCEMENTS

1. CALL TO ORDER

At 6:00 p.m. Mayor Terry Orr called the meeting to order with all members present, with the exception of Julie Hart who was ill.

2. PLEDGE OF ALLEGIANCE AND INVOCATION

Assistant Police Chief Matt Wagner led the pledges of allegiance to the U.S. and Texas flags. Reverend Grady Chandler led the invocation.

3. PRESENTATIONS

A. BASTROP YMCA UPDATE – TERRY MOORE

Terry Moore, Bastrop YMCA Director, addressed the Council. Ms. Moore showed a short video and gave an update on activities of the Bastrop YMCA.

4. PROCLAMATIONS

A. MOTORCYCLE SAFETY & AWARENESS MONTH

Mayor Orr proclaimed May 2012 as Motorcycle Safety & Awareness Month in the City of Bastrop.

B. MUNICIPAL CLERKS WEEK

Mayor Orr proclaimed April 29 through May 5, 2012 as Municipal Clerks Week in the City of Bastrop.

5. ANNOUNCEMENTS

Mayor Orr stated that the sales tax in the City for April was 36% above where it was last year in April.

Kay Garcia McAnally stated she had attended a water seminar this morning led by Senator Kirk Watson. Ms. Garcia McAnally stated the drought is not going away. Ms. Garcia McAnally stated the Water & Wastewater Department had printed some water conservation bumper stickers which she had available for distribution.

Dock Jackson stated the Bastrop Juneteenth Committee is hosting a Heritage Jubilee on June 1, 2012 at 6:30 p.m. at the Convention Center. Mr. Jackson stated the event is limited to 200 people, 100 tickets have been sold and contact him for tickets.

CITY MANAGER INFORMATIONAL UPDATE REPORT: ITEMS FOR UPDATE, DISCUSSION AND POSSIBLE ACTION:

A. MEETINGS AND EVENTS ATTENDED:
B. UPDATE ON CITY PROJECTS:
C. UPDATE ON CITY BUSINESS:
  1. CONVENTION CENTER ACTIVITIES.
  2. MAIN STREET PROGRAM ACTIVITIES.
  3. COMMERCIAL/RESIDENTIAL CONSTRUCTION PROJECTS IN THE CITY.
  4. YMCA ACTIVITIES.
D. INVITING INPUT FROM COUNCIL RELATED TO ISSUES FOR POSSIBLE INCLUSION ON FUTURE AGENDAS, RELATED TO ISSUES SUCH AS (BUT NOT LIMITED TO) MUNICIPAL PROJECTS, PERSONNEL, PUBLIC PROPERTY, DEVELOPMENT AND OTHER CITY/PUBLIC BUSINESS.

City Manager, Mike Talbot stated he appreciated the opportunity to attend the Transforming Local Government Conference in Kansas City, Missouri last week.

Mr. Talbot stated the City is working very closely with the owners of the movie theater and the first movie to be shown is scheduled for May 4, 2012.

Joe Beal stated he was absolutely in favor of the MS 150 Bike Race which came through Bastrop this weekend but he was very concerned about traffic control and safety. Mr. Beal stated that before next year's race there is going to have to be some planning on having some traffic corridors to let people get across Highway 71 and into town. Mr. Beal stated that all the signage is still displayed and needs to be removed.

Joe Beal stated that he noticed on Saturday night during the Cowboys & Caviar event the back gate entrance into the Convention Center was not open on Farm Street. Mr. Beal stated when there is a large event at the Convention Center that gate should be open.

A. CONSENT AGENDA

ALL OF THE FOLLOWING ITEMS ON THE CONSENT AGENDA ARE CONSIDERED TO BE SELF-EXPLANATORY BY THE COUNCIL AND WILL BE ENACTED WITH ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS A COUNCIL MEMBER SO REQUESTS.

A.1 APPROVAL OF MEETING MINUTES OF APRIL 10, 2012.

A.2 APPROVAL OF CITY OF BASTROP FINANCIAL MANAGEMENT POLICY, INVESTMENT POLICY AND COMPREHENSIVE FUND BALANCE POLICY FOR FISCAL YEAR 2012-2013, ESTABLISHMENT OF STABILIZATION FUND, AND ALLOCATION OF COMMITTED FUND BALANCE FOR STABILIZATION OF TWO (2) MONTHS OF OPERATING UP TO $1,411,400 AND ALLOCATION OF

FUNDS FOR UNRESTRICTED FUND BALANCE OF ONE (1) MONTH OF OPERATING AND UP TO $705,700.

A.3 ADOPTION OF AN ORDINANCE GRANTING A ZONING DISTRICT CHANGE FROM AOS, AGRICULTURE OPEN SPACE, TO MF-2, MULTI FAMILY DWELLING-2 FOR +/-11.20 ACRES WITHIN THE MOZEA ROUSSEAU SURVEY, A-56, LOCATED SOUTH OF CHILDERS DRIVE WITHIN THE CITY LIMITS OF BASTROP, TEXAS; AND PROVIDING AN EFFECTIVE DATE.

A.4 APPROVAL OF THE STATUTORY DENIAL, FOR A PERIOD OF 180 DAYS FROM THE DATE OF COUNCIL ACTION ON THIS REQUEST FOR THE TIGER TOTE PLAT CREATING ONE COMMERCIAL LOT WITHIN THE CITY LIMITS OF BASTROP, TEXAS.

A.5 APPROVAL OF THE STATUTORY DENIAL, FOR A PERIOD OF 180 DAYS FROM THE DATE OF COUNCIL ACTION ON THIS REQUEST FOR THE PRELIMINARY PLAT AND FINAL PLAT FOR HUNTERS CROSING, SECTION 9C CREATING ONE COMMERCIAL LOT WITHIN THE CITY LIMITS OF BASTROP, TEXAS.

A.6 APPROVAL OF THE STATUTORY DENIAL, FOR A PERIOD OF 180 DAYS FORM THE DATE OF COUNCIL ACTION ON THIS REQUEST FOR THE AMENDED PLAT OF LOT 10 AND PORTIONS OF LOTS 9 AND 11, BLOCK 3, RIVERVIEW HEIGHTS SUBDIVISION CREATING TWO RESIDENTIAL LOTS WITHIN THE CITY LIMITS OF BASTROP, TEXAS.

A.7 APPROVAL OF THE STATUTORY DENIAL, FOR A PERIOD OF 180 DAYS FROM THE DATE OF COUNCIL ACTION ON THIS REQUEST FOR THE AMENDED PLAT OF LOTS 1-1667 AND 1-1688, BLOCK 22 TAHITIAN VILLAGE SUBDIVISION, COMBING TWO LOTS TO CREATE ONE COMMERCIAL LOT WITHIN THE CITY LIMITS OF BASTROP, TEXAS.

A.8 APPROVAL OF AN EXTENSION TO THE STATUTORY DENIAL, FOR A PERIOD OF 180 DAYS COMMENCING ON APRIL 29, 2012, FOR THE AMENDED PLAT OF LOTS 2, 3, 12, 13, 14, 15 AND 16, BLOCK 3 AND LOTS 31 AND 32, BLOCK 2, PINE FOREST, PHASE III, UNIT 9 TO CREATE TWO RESIDENTIAL LOTS WITHIN THE CITY OF BASTROP, TEXAS, EXTRA TERRITORIAL JURISDICTION (ETJ).

A.9 APPROVAL OF AN EXTENSION TO THE STATUTORY DENIAL, FOR A PERIOD OF 180 DAYS COMMENCING ON APRIL 29, 2012, FOR THE POWELL-KRESGE SUBDIVISION TO CREATE TWO RESIDENTIAL LOTS WEST OF MAIN STREET AND EAST OF CHURCH STREET WITHIN THE CITY LIMITS OF BASTROP, TEXAS.

A.10 APPROVAL OF THE BASTROP POWER & LIGHT COMMUNITY SUPPORT FUNDING PROCESS FOR THE FISCAL YEAR 2013 BUDGET.

A.11 ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF BASTROP APPROVING A PROJECT (A GRANT TO SP BASTROP THEATRE, LP, FOR RENOVATIONS AND NEW CONSTRUCTION AT THE FORMER CHESTNUT SQUARE ENTERTAINMENT CENTER LOCATED AT 1600 CHESTNUT STREET, BASTROP, TEXAS, IN THE AMOUNT OF $100,000), USING FUNDS PROVIDED BY THE BASTROP ECONOMIC DEVELOPMENT CORPORATION, IN AN AMOUNT EXCEEDING $10,000.

A.12 ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF BASTROP APPROVING A PROJECT (A RAIL MARKET SURVEY IN THE AMOUNT OF $15,750), USING FUNDS PROVIDED BY THE BASTROP ECONOMIC DEVELOPMENT CORPORAITON, IN AN AMOUNT EXCEEDING $10,000.

Mayor Orr read the caption of the Ordinance listed as Consent Agenda Item A.3.

Ken Kesselus asked that Consent Agenda Item A.10 be pulled for separate discussion.

Joe Beal moved to approve the Consent Agenda minus Item A.10. Seconded by Kay Garcia McAnally and carried unanimously.

Ken Kesselus stated he and the Committee have been working with this and the Hotel Occupancy Tax revenue process. Mr. Kesselus stated the Committee decided there was no need to change the process for the Community Support funding. Mr. Kesselus stated the Committee had met with organizations that receive Community Support funding and they are happy with the current process.

Ken Kesselus moved to adopt Consent Agenda Item A.10 with the exception that the Public Hearing on April 24, 2012 shown on the Community Support Funding Calendar be removed from the schedule. Seconded by Dock Jackson and carried unanimously.

Ken Kesselus stated he believed it was a mistake to call this the Bastrop Power & Light Community Support funding because there are citizens of Bastrop who have Bluebonnet Electric service and are not contributing to the funding.

Mayor Orr stated that topic may be an item for discussion at a Council workshop.

Joe Beal stated he agreed with Mr. Kesselus.

B. PUBLIC HEARINGS:

B.1 PUBLIC HEARING: CONDUCT A PUBLIC HEARING SEEKING INPUT FROM THE PUBLIC ON THE HOTEL OCCUPANCY TAX (HOT) FUNDING PROCESS FOR THE FISCAL YEAR 2013 BUDGET.

Ken Kesselus stated the Committee had met with most of the organizations who had previously received HOT monies and received support of the changes made in the process. Mr. Kesselus stated that meeting was not as publicized as this Council Meeting and this public hearing was an opportunity to give everyone a chance to comment on the process.

There were no public comments.

B.2 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF THE HOTEL OCCUPANCY TAX (HOT) FUNDING PROCESS FOR THE FISCAL YEAR 2013 BUDGET AND DIRECT STAFF TO MODIFY PROCESS AS DETERMINED.

Ken Kesselus stated he thought the Council was sufficiently informed of the changes and recommended the Council adopt this as proposed.

Dock Jackson asked that since he is a member of an organization receiving HOT funding and this agenda item was regarding the process would that be a conflict of interest for him to vote on this.

City Attorney J.C. Brown stated it was not a conflict of interest since the Council was voting on the process.

Ken Kesselus moved to approve the Hotel Occupancy Tax (HOT) funding process for the Fiscal Year 2013. Seconded by Kay Garcia McAnally and carried unanimously.

B.3 CITIZEN COMMENTS.

There were no citizen comments.

C. OLD BUSINESS

D. NEW BUSINESS

ORDINANCES FOR FIRST READING:

D.1 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON THE FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS AMENDING THE BYLAWS OF THE HUNTERS CROSSING LOCAL GOVERNMENT CORPORATION, PROVIDING A SEVERABILITY CLAUSE, REPEALING CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

Mayor Orr read the caption of the Ordinance.

City Manager, Mike Talbot stated the Hunters Crossing Local Government Corporation Board met on April 16, 2012 and discussed Bylaws and having good representation on the Board. Mr. Talbot stated the Board voted to recommend to the City Council that the First Amended ByLaws of the Hunters Crossing Local Government be amended to stipulate that the Board of Directors include a designated position for a City Council Member. Mr. Talbot stated the Board also asked me to convey to the Council that two additional amendments include provisions that: 1) one Board member be designated by the Council to be a Resident of Hunters Crossing Subdivision, and 2) one Board member be designated by the Council to be a Representative of Commercial Entity located in the Hunters Crossing Subdivision Public Improvement District.

Ken Kesselus moved to approve the Ordinance on First Reading and place on the Consent Agenda of the next Council Meeting for its Second Reading. Seconded by Joe Beal and carried unanimously.

ORDINANCES AND OTHER ITEMS ELIGIBLE FOR CONSIDERATION AND/OR ACTION:

D.2 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON ADOPTION OF A RESOLUTION BY THE CITY OF BASTROP, TEXAS, ("CITY") RESPONDING TO THE APPLICATION OF CENTERPOINT ENERGY ENTEX, SOUTH TEXAS DIVISION TO INCREASE RATES UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM; SUSPENDING THE EFFECTIVE DATE OF THIS RATE APPLICATION FOR FORTY-FIVE DAYS; AUTHORIZING THE CITY TO CONTINUE TO PARTICIPATE IN A COALITION OF CITIES KNOWN AS THE "ALLIANCE OF CENTERPOINT MUNICIPALITIES"; REQUIRING THE REIMBURSEMENT OF COSTS; DETERMINING THAT THE MEETING AT WHICH THE RESOLUTION WAS ADOPTED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

City Manager, Mike Talbot stated the City has received notice that Centerpoint Gas has, once again, applied to the State for permission to raise its gas rates. Mr. Talbot stated the proposed raise would elevate the "monthly customer charge" from its current amount of $13.95 up to a new rate of $15.28. Mr. Talbot stated if not challenged, this rate increase will automatically go into effect on May 29, 2012. Mr. Talbot stated Mr. Jim Boyle, is a rate lawyer who has worked for municipal consortiums in years past to evaluate and, when appropriate, fight to have rate increases kept to a justifiable amount. Mr. Talbot stated as the Council may recall Mr. Boyle represented the City in this manner a few months ago, and as a result of his work the gas customers in Bastrop had a smaller rate increase than was proposed. Mr. Talbot stated Mr. Boyle is once again mounting a challenge to the new rate increase, representing various central Texas cities, and he has invited Bastrop to again join in the effort to evaluate and keep the gas rates to a level that is fair and justifiable. Mr. Talbot stated the City is not responsible for payment of Mr. Boyle's fees. Mr. Talbot stated that if the Council agrees that it would benefit the citizens to have Mr. Boyle evaluate the proposed rate, the Council should adopt the proposed Resolution, which will delay the automatic rate increase proposed by Centerpoint for 45 days, so that Boyle's group may do the necessary work to evaluate the proposed rate, and if appropriate, file a protest with the State. Mr. Talbot stated he recommends adoption of the Resolution.

Brief discussion was held among Council.

Kay Garcia McAnally moved to adopt the Resolution. Seconded by Dock Jackson and carried unanimously.

D.3 CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON ACCEPTANCE OF MONTHLY FINANCIAL REPORTS AND QUARTERLY INVESTMENT REPORT FOR THE PERIOD ENDING OF MARCH 31, 2012.

Finance Director, Karla Stovall presented the monthly Financial Reports and Quarterly Investment Report for the period ending March 31, 2012. Ms. Stovall reviewed the report.

Brief discussion was held among Council and Ms. Stovall.

Joe Beal moved to accept the reports. Seconded by Dock Jackson and carried unanimously.

E. EXECUTIVE SESSION:

E.1 THE BASTROP CITY COUNCIL WILL MEET IN A CLOSED/EXECUTIVE SESSION PURSUANT TO THE TEXAS GOVERNMENT CODE, CHAPTER 551, TO DISCUSS THE FOLLOWING:

1. SECTION 551.071(1)(A) AND SECTION 551.071(2) - CONSULTATIONS WITH ATTORNEY: (1) THREATENED AND/OR CONTEMPLATED LITIGATION, AND (2) MATTERS UPON WHICH THE ATTORNEY HAS A DUTY AND/OR RESPONSIBILITY TO REPORT TO THE GOVERNMENTAL BODY.
2. SECTION 551.087 – DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS: SCHULMAN THEATER PROJECT.
3. SECTION 551.072 – DELIBERATION ABOUT REAL PROPERTY: ACQUISITION, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY FOR PUBLIC PURPOSES.

At 6:50 p.m., Mayor Orr convened the Bastrop City Council into a closed/executive session pursuant to the Texas Government Code, Chapter 551, to discuss the following:

1. Section 551.071(1)(A) and Section 551.071(2) – Consultations with Attorney: (1) Threatened and/or contemplated litigation, and (2) Matters upon which the attorney has a duty and/or responsibility to report to the governmental body.
2. Section 551.087 – Deliberation Regarding Economic Development Negotiations: Schulman Theater Project.
3. Section 551.072 – Deliberation About Real Property: Acquisition, exchange, lease or value of real property for public purposes.

E.2 THE BASTROP CITY COUNCIL WILL RECONVENE INTO OPEN SESSION TO DISCUSS, CONSIDER AND/OR TAKE ANY ACTIONS NECESSARY RELATED TO THE EXECUTIVE SESSIONS NOTED HEREIN, OR REGULAR AGENDA ITEMS, NOTED ABOVE, AND/OR RELATED ITEMS.

At 7:50 p.m., Mayor Orr reconvened the Bastrop City Council into open session to discuss, consider and/or take any actions necessary related to the executive sessions noted herein, or regular agenda items, noted above, and/or related items.

Ken Kesselus moved to authorize the City Manager, Mike Talbot to execute the City's 380 Economic Development Agreement between the City, the Bastrop Economic Development Corporation and the Schulman Partnership, reflecting the terms and provisions previously approved by the City and reflected in the prior Letter of Understanding, concerning the Chestnut Street Theater Project, on behalf of the City. Seconded by Kay Garcia McAnally and carried unanimously.

F. ADJOURNMENT

At 7:52 p.m., Dock Jackson moved to adjourn. Seconded by Ken Kesselus and carried unanimously.

APPROVED: ATTEST:

__________________________ ___________________________

Terry Orr, Mayor Teresa Valdez, City Secretary

CITY OF BASTROP **AGENDA ITEM** **A.2**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: April 30, 2012
MEETING DATE: May 8, 2012

1. Agenda Item: **Approval of Bastrop Marketing Corporation's request for reimbursement of expenses.**

2. Party Making Request: **Karla Stovall, Chief Financial Officer**

3. Nature of Request: (Brief Overview) Attachments: Yes ___X___ No ______

4. Policy Implication: ______

5. Budgeted: ____X____Yes _________No N/A
   Bid Amount: ________________ Budgeted Amount: ________________
   Under Budget: ________________ Over Budget: ________________
   Amount Remaining: ________________

6. Alternate Option/Costs: ______

7. Routing: **NAME/TITLE** **INITIAL** **DATE** **CONCURRENCE**
   a) ______
   b) ______
   c) ______

8. Staff Recommendation: ______

9. Advisory Board: _________Approved _________Disapproved ___________None

10. Manager's Recommendation: __________Approved __________Disapproved __________None

11. Action Taken: ______

0111b

CITY OF BASTROP FINANCE DEPARTMENT

Memo

To: Mayor, City Council and City Manager

From: Karla Stovall, Chief Financial Officer

Date: April 30, 2012

Re: Reimbursement of Accrued Bastrop Marketing Corporation Expenses

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Attached is the request from Bastrop Marketing Corporation (BMC) for payment of funds in accordance with the Tourism Marketing Agreement that was signed with the City of Bastrop in November 2003.

This request is for the time period for March 2012. There is a month lag in the receipt of the hotel occupancy tax monies.

It is recommended that Council approve the reimbursement of funds in the amount of $77,618.58 for March 2012 to BMC in accordance with our agreement to be spent on advertising and marketing the City of Bastrop area. This amount represents 45% of the tax collections.

If you have any questions regarding this agreement please contact me at 512-332-8820.

Bastrop Marketing Corporation ("BMC") Updated: April 26, 2012
October 2011 through September 2012 - Budget

	2011				2012								
	September	October	November	December	January	February	March	April	May	June	July	August	September
HRLPR Room Revenues	$2,169,911.11	$2,071,428.57	$1,615,177.09	$1,092,520.79	$1,167,342.21	$1,512,929.75	$2,490,063.76	$2,487,948.00	$2,300,062.00	$2,986,947.00	$3,161,963.00	$2,653,655.00	$ 1,962,414
Exemptions	(39,280.86)	(1,070.00)	(1,376.00)	(1,111.00)	(657.28)	(131.00)	(1,092.00)	-	-	-	-	-	
Taxable Room Revenues	2,130,630.25	2,070,358.57	1,613,801.09	1,091,409.79	1,166,684.93	1,512,798.75	2,488,971.76	2,487,948.00	2,300,062.00	2,986,947.00	3,161,963.00	2,653,655.00	
City of Bastrop HOT Rate	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%	7%	
City of Bastrop HOT Tax	$ 149,144.12	$ 144,925.10	$ 112,966.08	$ 76,398.69	$ 81,667.94	$ 105,895.91	$ 174,228.02	$ 174,156.36	$ 161,004.34	$ 209,086.29	$ 221,337.41	$ 185,755.85	
Gross Liability to City		$ 149,144.12	$ 144,925.10	$ 112,966.08	$ 76,398.69	$ 81,667.94	$ 105,895.91	$ 174,228.02	$ 174,156.36	$ 161,004.34	$ 209,086.29	$ 221,337.41	$185,755.85
Hotel Owner Collection Allowance (1%)		(1,491.44)	(1,449.25)	(1,129.66)	(763.99)	(816.68)	(1,058.96)	(1,742.28)	(1,741.56)	(1,610.04)	(2,090.86)	(2,213.37)	(1,857.56)
Net Collection by City		147,652.68	143,475.85	111,836.42	75,634.70	80,851.26	104,836.95	172,485.74	172,414.80	159,394.30	206,995.43	219,124.04	183,898.29
Applicable % payable to BMC		45%	45%	45%	45%	45%	45%	45%	45%	45%	45%	45%	45%
Funds Available to BMC		66,443.71	64,564.13	50,326.39	34,035.62	36,383.07	47,176.63	77,618.58	77,586.66	71,727.44	93,147.94	98,605.82	82,754.23
Total Budget $800,370.22	Allocated:	66,697.52	66,697.52	66,697.52	66,697.52	66,697.52	66,697.52	66,697.52	66,697.52	66,697.52	66,697.52	66,697.52	66,697.50
Payment of Funds by City to BMC		$ 66,443.71	$ 64,564.13	$ 50,326.39	$ 34,035.62	$ 36,383.07	$ 47,176.63	$ 77,618.58	$ 77,586.66	$ 71,727.44	$ 93,147.94	$ 98,605.82	$ 82,754.23
		Paid	Paid	Paid	Paid	Paid	Paid	Currently due					

check: $ -

Prepared:

BASTROP MARKETING CORPORATION

A REPORT TO THE CITY OF BASTROP

April 30, 2012

Prepared by Woodbine Development Corporation on behalf of Bastrop Resort Partners, L.P., and Bastrop Marketing Corporation.

Bastrop Marketing Corporation (BMC) was established in 2003 to manage destination-marketing efforts pursuant to that certain Tourism Marketing Agreement (Agreement) dated November 20, 2003, Bastrop Resort Partners, L.P., BMC and the City of Bastrop. Under the Agreement the BMC will receive a distribution of Hotel Occupancy Taxes (HOT) paid to the City by Hyatt Regency Lost Pines Resort and Spa, according to a schedule and at a percentage established in the Agreement. (The percentage distribution starts at 75 percent of the resort's HOT payments and declines to 43 percent over the 10-year period of the agreement.)

To qualify for the HOT distribution, BMC must provide a marketing plan to the City of Bastrop detailing expenditures that directly enhance and promote tourism and the convention and hotel industry. Additionally, expenditures must clearly fit into one of the following six statutorily provided categories:

1. Funding the establishment, improvement, or maintenance of a convention center or visitor information center;
2. Paying the administrative costs for facilitating convention registration;
3. Paying for tourism-related advertising and promotions of the city or its vicinity;
4. Funding programs that enhance the arts. This section authorizes the expenditure of hotel occupancy tax revenues for a variety of art-related programs. It allows funding for the encouragement, promotion, improvement and application of the arts including instrumental and vocal music, dance, drama, folk art, creative writing, architecture, design and allied fields, painting, sculpture, photography, graphic and craft arts, motion pictures, radio, television, tape and sound recording, and other arts related to the presentation, performance, execution and exhibition of these major art forms.
5. Funding historical restoration or preservation programs. This section anticipates that a city may want to spend its hotel occupancy tax revenues to enhance historical restoration and preservation projects that would likely bring tourists to the city or to its immediate vicinity. The funding must extend to a project or activity located in the city or its immediate vicinity. Expenditures may include the costs for rehabilitation or preservation of historic structures, as well as the cost of advertising and conducting solicitations and promotional programs to encourage tourists and convention delegates to visit preserved historic sites or museums. For cities with populations of less than 125,000, the "Additional Limits on Expenditures" section of the legal narrative is relevant. It says that "A city of under 125,000 may, in certain cases, need to allocate at least some of its hotel tax money for acquiring, constructing, improving, maintaining or operating a convention center or visitor information center. If a city fails to allocate money for this purpose, the Tax Code prohibits that city from allocating more than 50 percent of its hotel occupancy tax for historical restoration or preservation projects."
6. Funding sporting events at which the majority of participants are tourists in cities located in a county with a population of 65,000 or less.

Pursuant to the Agreement, BMC will promote tourism and the convention and hotel industry of Bastrop and the surrounding area through Statutorily Authorized Promotional Programs (SAPPs), as defined by State law.

As a follow-up to the marketing expenditures report and plans submitted to the City in 2011, Woodbine is officially submitting this summary of SAPP expenses. It is understood that the City approved the 2011-2012 plan, and redistribution of funds will take place according to the Letter of Understanding (LOU) approved by Bastrop City Council in April 2007.

For Fiscal Year 2011-2012, January through March, BMC and Hyatt Regency Lost Pines Resort and Spa expended approximately $170,795 on SAPPS in the following categories.

SALES & PROMOTION
COLLATERAL
TRADESHOWS
ADVERTISING (PAID MEDIA) and DIRECT MAIL
PUBLIC RELATIONS AND SPECIAL EVENTS
ELECTRONIC MARKETING/WEBSITE

Note: Proof Advertising continues to manage separate but complementary marketing plans for BMC and the Resort. Proof has concentrated efforts on redevelopment of the visitlostpines.com website and has worked with City of Bastrop representatives to help ensure that the site meets BMC and City tourism needs. A considerable amount of the BMC budget is dedicated to online advertising of the website to increase visitor interest in Bastrop and the Lost Pines Region as a destination. Website analytics are available to the City upon request. Dublin & Associates public relations firm remains on contract and continues to assist Bastrop in publicity efforts for events and initiatives.

For Fiscal Year 2011-2012, BMC has received $298,929.55 (for October through March SAPPs) in distributions from the city and expended a total of $620,306. In summary, as in years past, Hyatt Regency Lost Pines and BMC have expended more on SAPPS than BMC received in HOT redistributions. A full review of marketing expenditures is available upon request, although some information is considered proprietary for competitive reasons.

BMC seeks official approval of the quarterly report.

For Fiscal Year 2011-2012, BMC is forecast to receive approximately $800,000 in distributions from the city. BMC and Hyatt Regency Lost Pines are budgeted to spend more than $1 million on SAPPS. BMC and Hyatt will present the proposed Fiscal Year marketing plan to the City Council in executive session, if requested.

CITY OF BASTROP **AGENDA ITEM A.3**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: April 18, 2012
MEETING DATE: May 8, 2012

1. Agenda Item: **Adoption of a Resolution of the City Council of Bastrop approving a project (a grant to SP Bastrop Theatre, LP, for renovations and new construction at the former Chestnut Square Entertainment Center located at 1600 Chestnut Street, Bastrop, Texas, in the amount of $100,000), using funds provided by the Bastrop Economic Development Corporation, in an amount exceeding $10,000.**

2. Party Making Request: **Dave Quinn, BEDC Executive Director**

3. Nature of Request: (Brief Overview) Attachments: Yes ______ No __X__

On February 27, 2012, the Bastrop Economic Development Corporation (BEDC) Board of Directors approved funding a grant in the amount of $100,000 for the renovation project, to be paid upon demonstration of 25% completion of the project. On April 16, 2012, the BEDC held the required public hearing for expenditure of 4B funds for the project. On April 16, 2012, the BEDC Board of Directors approved the amendment to the BEDC budget in the amount of $100,000 to fund the grant to SP Bastrop Theatre, LP, for renovations and new construction at the former Chestnut Square Entertainment Center.

4. Policy Implication: ______________________________

5. Budgeted: ____________Yes _______X______No N/A
   Bid Amount: ______________ Budgeted Amount: ______________
   Under Budget: ______________ Over Budget: ______________
   Amount Remaining: ______________

6. Alternate Option/Costs: ______________________________

7. Routing: **NAME/TITLE INITIAL DATE CONCURRENCE**
   a) ______________________________
   b) ______________________________
   c) ______________________________

8. Staff Recommendation: ______________________________

9. Advisory Board: ________Approved ________Disapproved __________None

10. Manager's Recommendation: _________Approved _________Disapproved _________None

11. Action Taken: ______________________________

RESOLUTION NO. R-2012-__

A RESOLUTION OF THE CITY COUNCIL OF BASTROP, TEXAS, APPROVING A PROJECT, USING FUNDS PROVIDED BY THE BASTROP ECONOMIC DEVELOPMENT CORPORATION, IN AN AMOUNT EXCEEDING $10,000.

WHEREAS, the Board of the Bastrop Economic Development Corporation ("BEDC") met on April 16, 2012, and at that time took formal action to support and provide funds for various projects; and

WHEREAS, Section 4B(3), of the Texas Economic Development Act, mandates that prior to the BEDC funding a project involving an expenditure by the BEDC of more that $10,000, per project, the City Council shall adopt a Resolution authorizing the project, which Resolution shall be read by the City Council, on two separate occasions; and

WHEREAS, the City has reviewed the April 16, 2012, actions of the BEDC related to the project noted herein below, has considered and evaluated that project, and has found it meritorious of the Council's approval.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, THAT:

(1) The City Council of the City of Bastrop, Texas, hereby approves the following project, which had been approved for funding by the BEDC:

   a. To fund a grant to SP Bastrop Theatre, LP, for renovations and new construction at the former Chestnut Square Entertainment Center located at 1600 Chestnut Street, Bastrop, Texas, in the amount of $100,000.

(2) The City Manager is hereby authorized to convey a copy of this Resolution of approval, as appropriate.

(3) That this Resolution shall take effect immediately from and after its passage, and is accordingly so resolved.

READ and ACKNOWLEDGED on First Reading on the 24^{th} of April 2012.

READ and ADOPTED on Second Reading on the 8^{th} day of May 2012.

APPROVED:

Terry Orr, Mayor

ATTEST:

Teresa Valdez, City Secretary

APPROVED AS TO FORM:
Jo-Christy Brown, City Attorney

CITY OF BASTROP **AGENDA ITEM A.4**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: April 18, 2012
MEETING DATE: May 8, 2012

1. Agenda Item: **Adoption of a Resolution of the City Council of Bastrop approving a project (a Rail Market Survey in the amount of $15,750), using funds provided by the Bastrop Economic Development Corporation, in an amount exceeding $10,000.**

2. Party Making Request: **Dave Quinn, BEDC Executive Director**

3. Nature of Request: (Brief Overview) Attachments: Yes ______ No __X__

On April 16, 2012, the Bastrop Economic Development Corporation Board of Directors approved hiring IMS Worldwide, Inc. to conduct a feasibility study related to development of a rail transload facility in the Bastrop Business & Industrial Park on the Union Pacific rail line, at a cost of $15,750.

4. Policy Implication: ____________________

5. Budgeted: ____________Yes _____X_____No N/A
   Bid Amount: ____________ Budgeted Amount: ____________
   Under Budget: ____________ Over Budget: ____________
   Amount Remaining: ____________

6. Alternate Option/Costs: ____________________

7. Routing: **NAME/TITLE** **INITIAL** **DATE** **CONCURRENCE**
   a) ____________________
   b) ____________________
   c) ____________________

8. Staff Recommendation: ____________________

9. Advisory Board: ________Approved ________Disapproved ________None

10. Manager's Recommendation: ________Approved ________Disapproved ________None

11. Action Taken: ____________________
____

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RESOLUTION NO. R-2012-__

A RESOLUTION OF THE CITY COUNCIL OF BASTROP, TEXAS, APPROVING A PROJECT, USING FUNDS PROVIDED BY THE BASTROP ECONOMIC DEVELOPMENT CORPORATION, IN AN AMOUNT EXCEEDING $10,000.

WHEREAS, the Board of the Bastrop Economic Development Corporation ("BEDC") met on April 16, 2012, and at that time took formal action to support and provide funds for various projects; and

WHEREAS, Section 4B(3), of the Texas Economic Development Act, mandates that prior to the BEDC funding a project involving an expenditure by the BEDC of more that $10,000, per project, the City Council shall adopt a Resolution authorizing the project, which Resolution shall be read by the City Council, on two separate occasions; and

WHEREAS, the City has reviewed the April 16, 2012, actions of the BEDC related to the project noted herein below, has considered and evaluated that project, and has found it meritorious of the Council's approval.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, THAT:

(1) The City Council of the City of Bastrop, Texas, hereby approves the following project, which had been approved for funding by the BEDC:

a. To fund a Rail Market Study by IMS Worldwide in the amount of $15,750, to determine the feasibility of developing a rail transload facility in the Bastrop Business & Industrial Park.

(2) The City Manager is hereby authorized to convey a copy of this Resolution of approval, as appropriate.

(3) That this Resolution shall take effect immediately from and after its passage, and is accordingly so resolved.

READ and ACKNOWLEDGED on First Reading on the 24th of April 2012.

READ and ADOPTED on Second Reading on the 8th day of May 2012.

APPROVED:

Terry Orr, Mayor

ATTEST:

Teresa Valdez, City Secretary

APPROVED AS TO FORM:
Jo-Christy Brown, City Attorney

CITY OF BASTROP **AGENDA ITEM: A.5**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: April 25, 2012
MEETING DATE: May 8, 2012

1. Agenda Item: **Adoption of an Ordinance of the City Council of Bastrop Texas, amending the Bylaws of the Hunters Crossing Local Government Corporation, providing a severability clause, repealing conflicting ordinances; and providing an effective date.**

2. Party Making Request: **Mike Talbot**

3. Nature of Request: (Brief Overview) Attachments: Yes __X__ No ______

In July 2011 the Bastrop City Council amended the ByLaws of the Hunters Crossing Local Government Corporation (LGC) to allow for the expansion of the Board of Directors from 5 members to include more than 5 members.

The Hunters Crossing Local Government Corporation Board of Directors is recommending the City Council amend the First Amended ByLaws of the Hunters Crossing Local Government Corporation to stipulate that the Board of Directors include the following designated position: City Council Member.

At the April 24, 2012 the Council considered and approved an additional recommendation suggested by staff and supported by the Hunters Crossing Local Government Corporation Board that the Council consider two additional amendments to the First Amended Bylaws to include provisions that: (a) one Board member be designated by the Council to be a Resident of Hunters Crossing Subdivision, and (b) one Board member be designated by the Council to be a Representative of Commercial Entity located in the Hunters Crossing Subdivision Public Improvement District.

4. Policy Implication: ______________________________

5. Budgeted: __________Yes ___________No N/A
   Bid Amount: __________ Budgeted Amount: __________
   Under Budget: __________ Over Budget: __________
   Amount Remaining: __________

6. Alternate Option/Costs: ______________________________

7. Routing:

NAME/TITLE	INITIAL	DATE	CONCURRENCE
a)			
b)			
c)			

8. Staff Recommendation: ______________________________

9. Advisory Board: _________Approved _________Disapproved ___________None

10. Manager's Recommendation: __________Approved __________Disapproved __________None

11. Action Taken: ____
____

ORDINANCE NO. 2012- 8

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AMENDING THE BY LAWS OF THE HUNTERS CROSSING LOCAL GOVERNMENT CORPORATION, PROVIDING A SEVERABILITY CLAUSE, REPEALING CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in order to enhance the health, well-being and generally welfare of the Citizens of Bastrop, the City Council has determined that it is necessary to amend the Original Bylaws of the Hunters Crossing Local Government Corporation, as set forth herein below.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:

Part 1: That Article II, of the First Amended Bylaws of the Hunters Crossing Local Government Corporation is hereby amended as follow:

SECOND AMENDED BYLAWS OF THE HUNTERS CROSSING LOCAL GOVERNMENT CORPORATION

ARTICLE II
BOARD OF DIRECTORS

Section 1. Appointment, Classes, Powers, Number, and Term of Office. All powers of the Corporation shall be vested in the Board of Directors (the *"Board of Directors").* The Board of Directors shall consist of seven (7) persons, but may be expanded to include more than seven (7) members, at the discretion of the City Council. The City shall appoint the members of the Board of Directors, as follows:

1. One appointed member shall be a currently serving Council Member,
2. One appointed member shall be a current property owner and resident in the Hunters Crossing Subdivision.
3. One appointed member shall be a representative of a Commercial enterprise that has a place of business in the Public Improvement District.
4. All other appointed members are at the Council's sole discretion.

Each Director shall serve for a term which expires on the date set forth below for the position to which such person was appointed, or until his or her successor is appointed by the City unless such Director has been appointed to fill an unexpired term in which case the term of the Director shall expire on the expiration date of the term of the Director whose position he or she was appointed to fill or until his or her successor is appointed qualifies for the position. Any Director may be removed from office at any time, with or without cause, by the City Council. The number of Directors may only be increased or decreased by the City Council.

The terms of office of the initial Board of Directors will be seven (7) years. Upon the expiration of the term of office of the initial Directors, except as otherwise provided by the Bylaws of the Corporation or the official action of the governing body of the City appointing a Director or Directors, Directors shall be divided into three classes, one class of one (1) Director initially to serve for a term of one (1) year, the second class of two (2) Directors initially to serve for a term of two (2) years, and the third class of two (2) Directors initially to serve for a term of three (3) years. The Board of Directors shall determine the class in which each Director shall be placed, including placement of any new membership position created by the City Council, from time to time. Thereafter each class shall serve for a term of three (3) years. All Directors shall hold their respective offices until their successor is appointed and qualifies as a Director.

Part 2: If any section or part of this Ordinance or the Second Amended Bylaws are held to be invalid or unconstitutional by a court of competent jurisdiction, that holding shall not invalidate or impair the validity, force or effect of any other section or part of this Ordinance, the Second Amended Bylaws of the Hunters Crossing Local Government Corporation or the Code of Ordinances, City of Bastrop, Texas.

Part 3: The City staff is directed to provide notice to the Board of Directors of the Hunters Crossing Local Government Corporation of the Council's action in adopting these "Second Amended Bylaws" at an upcoming meeting of the Board of Directors of the Corporation to occur after final action by the Council approving and adopting same, seeking the Board of Director's formal acknowledgement of the amendments made by Council action. City staff is directed to take all actions necessary, if any, to update the filing with the Secretary of State to reflect the content of the Second Amended Bylaws of the Hunters Crossing Local Government Corporation.

Part 4: This Ordinance supersedes and repeals all Ordinances or parts of Ordinances, if any, in conflict herewith; however, such present Ordinances shall remain in full force and effect until the effective date of this Ordinance.

Part 5: This Ordinance shall take effect upon the date of final passage noted below, or when all applicable publication requirements, if any, are satisfied in accordance with the City's Charter, Code of Ordinances, and the laws of State of Texas.

READ and Acknowledged on First Reading on the 24th day of April 2012.

READ and Adopted on Second Reading on the 8th day of May 2012.

APPROVED: **ATTEST:**

____________________________ ____________________________

Terry Orr
Mayor

Teresa Valdez
City Secretary

APPROVED AS TO FORM:
Jo-Christy Brown
Law Offices of J.C. Brown, P.C.
City Attorney

CITY OF BASTROP **AGENDA ITEM: A.6**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: May 2, 2012
MEETING DATE: May 8, 2012

1. Agenda Item: **Approval of waiver of fee for hanging banner per request fro Keep Bastrop County Beautiful.**

2. Party Making Request: **Teresa Valdez, City Secretary**

3. Nature of Request: (Brief Overview) Attachments: Yes ___X___ No ______

4. Policy Implication: ____________________

5. Budgeted: _________Yes __________No N/A
   - Bid Amount: ________________ Budgeted Amount: ________________
   - Under Budget: ________________ Over Budget: ________________
   - Amount Remaining: ________________

6. Alternate Option/Costs: ____________________

7. Routing: **NAME/TITLE INITIAL DATE CONCURRENCE**
   - a) ____________________
   - b) ____________________
   - c) ____________________

8. Staff Recommendation: ____________________

9. Advisory Board: _________Approved _________Disapproved ___________None

10. Manager's Recommendation: __________Approved __________Disapproved __________None

11. Action Taken: ____________________
____

KBCB

Keep Bastrop County Beautiful

May 1, 2012

~~Mike Talbot~~ Mayor Orr and City Council
City Manager
Bastrop City Hall
P.O. Box 427
Bastrop, TX 78602

Mr. Talbot:

Keep Bastrop County Beautiful (KBCB) is requesting waiver of the $50 application fee for our banner which will be placed on the Banner Plaza 3 weeks prior to our event. The Heart of Texas Green Expo on June 8 and 9 is at the Convention Center.

Please find attached copies of the sign permit application, picture of sign, special event banner application and W-9,

Let us know if you need any further,

Dorothy J Skarnulis
Dorothy Skarnulis
Chair
Keep Bastrop County Beautiful
512 537 0068

CITY OF BASTROP AGENDA ITEM **B.1**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: May 1, 2012
MEETING DATE: May 8, 2012

1. Agenda Item: **PUBLIC HEARING: To receive public input/comments regarding a request to vacate Hunters Crossing, Section 8A. The plat to be vacated consists of approximately 12.455 acres in the Hunters Crossing Subdivision located west of Highway 304 and south of Home Depot Way, in the city limits of Bastrop, Texas.**

2. Party Making Request: **Darlene Louk for Forestar (USA) Real Estate Group Inc.**

3. Nature of Request: (Brief Overview) Attachments: Yes _X_X___ No ______

The 12.455 acre lot, Hunters Crossing, Section 8A is currently vacant. The vacation process is following the procedures outlined in Texas Local Government Code Section 212.013.

4. Policy Implication: ______________________________

5. Budgeted: _________Yes __________No N/A
   Bid Amount: ________________ Budgeted Amount: ________________
   Under Budget: ________________ Over Budget: ________________
   Amount Remaining: ________________

6. Alternate Option/Costs: ______________________________

7. Routing:

NAME/TITLE	INITIAL	DATE	CONCURRENCE
a)			
b)			

8. Staff Recommendation: **Staff recommends approval of the request to vacate the plat for Hunters Crossing, Section 8A.**

9. Advisory Board: **XXXX Recommended Approval** ______ Recommended Denial ______None

The Planning and Zoning Commission conducted a public hearing on April 26, 2012 and voted 7-0 to recommend approval of vacating the plat for Hunters Crossing, Section 8A.

10. Manager's Recommendation: __________Approved __________Disapproved __________None

11. Action Taken: ______________________________

BASTROPTX
Heart of the Lost Pines
Est. 1832

City of Bastrop

Agenda Information Sheet:

City Council Meeting Date: **May 8, 2012**

Public Notice Description:
Public Hearing, consideration and possible action on a request to vacate Hunters Crossing, Section 8A. The plat to be vacated is Section 8A consisting of approximately 12.455 acres in the Hunters Crossing Subdivision. The property is located west of Highway 304 and south of Home Depot Way, in the city limits of Bastrop. Texas.

Item Summary:

Owner:	Forestar (USA) Real Estate Group Inc.
Applicant:	Darlene Louck
Location:	Located in the City Limits
Utilities:	City water, sewer, and Bluebonnet electric
Zoning:	Hunters Crossing Planned Development
Land Use Plan:	Vacant

Background:
The 12.455 acre lot, Hunters Crossing, Section 8A is currently vacant. The Vacation process is following the procedures outlined in Texas Local Government Code Section 212.013.

Area to be Vacated = 12.455 acres

The lot was final platted November 8, 2005 and the plat was recorded at the County Courthouse December 22, 2005 in Plat Cabinet 4, Page 181-B.

Proposal:
Forestar (USA) Real Estate Group Inc.

Vacating plats, must follow the Texas Local Government Code, Section 212.013 and through this process, a plat can be vacated if it follows the same procedures of the original plat.

Basis of Support:
Staff supports the vacation request, because it complies with the Texas Local Government Code, and the property has not been developed.

Special Considerations: None.

Financial Impact: None.

Comments: Three adjacent property owner notifications were mailed 4/4/2012. One public comment has been received in favor of the request.

Staff Recommendation: Staff recommends approval of the request to vacate Hunters Crossing, Section 8A. The portion to be vacated is Hunters Crossing, Section 8 A consisting of approximately 12.455 acres in the Bastrop, Texas City limits, as recorded in Cabinet 4, Page 181-B in the Plat Records of Bastrop County.

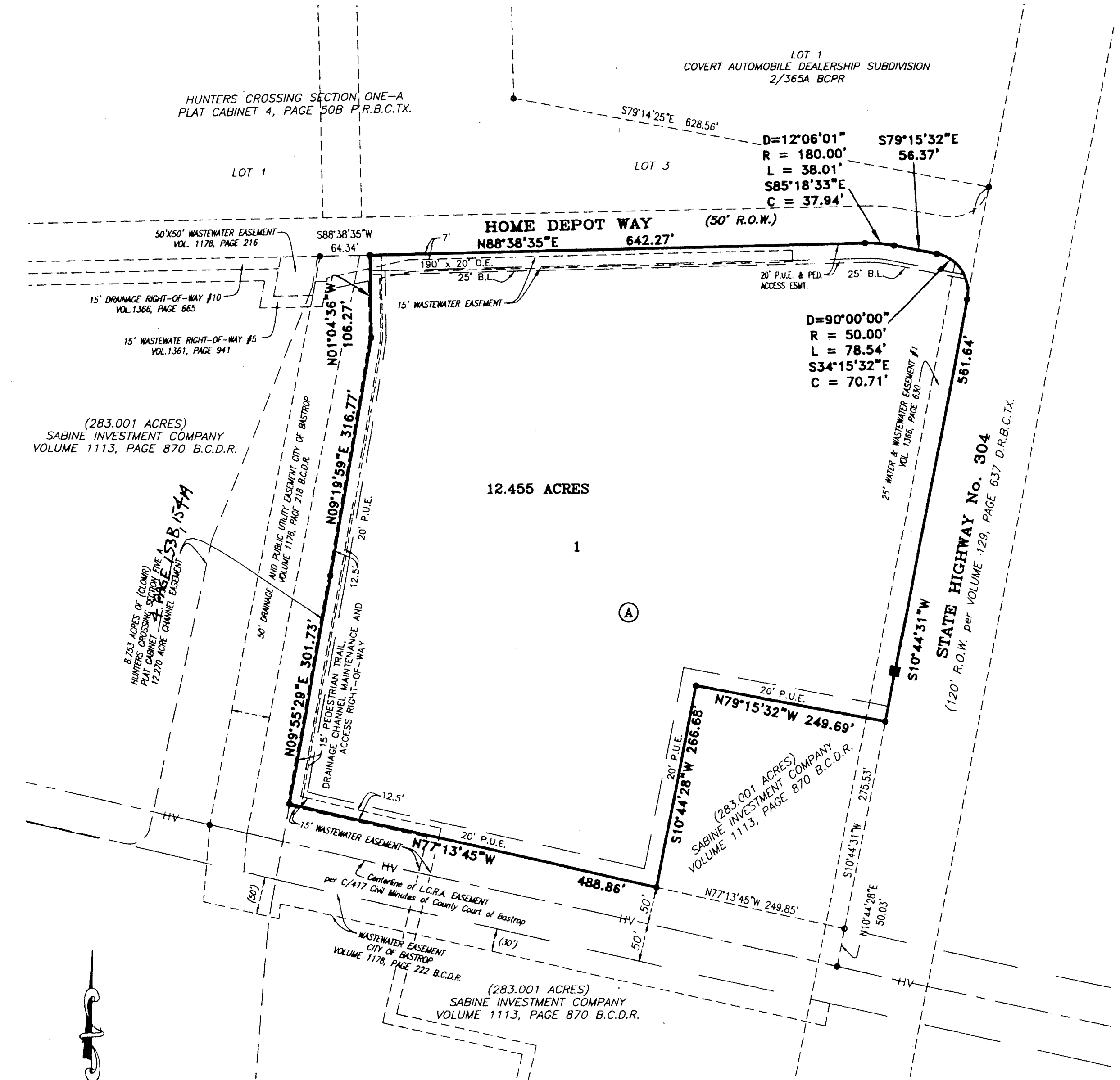
Planning and Zoning Recommendation:
The Planning and Zoning Commission conducted a public hearing on April 26, 2012 and voted 7-0 to recommend approval of vacating the plat for Hunters Crossing, Section 8A.

City Contact:
Melissa M. McCollum, AICP, LEED AP - Director
Planning and Development

Attachments:
PDF of Recorded Hunters Crossing, Section 8A, Final Plat

THE FINAL PLAT OF

HUNTERS CROSSING SECTION EIGHT A



SCALE:1"= 100'

LEGEND

○	IRON ROD SET
●	IRON ROD FOUND
1	LOT NUMBER
Ⓐ	BLOCK LETTER
B.L.	BUILDING SETBACK LINE
P.U.E.	PUBLIC UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
HV	HIGH VOLTAGE POWER LINE

REVISION	DATE	COMMENT
1	8-09-04	changed plat name
2	9-09-04	added recreational easement, wastewater easement, pedestrian access right-of-way.
3	9-21-04	Owners , dedication, removed note 8, revised record wastewater easement
4	9-27-04	Edit recreational easement
5	10-05-04	Edit recreational easement, revised notes 7 and 8, edited and added off-site easement references.
6	10-20-05	Add 3.455 ac to platted area
7	10-25-05	Add Lot 2 and revise acreage
8	11-4-05	Remove Lot 2 and revise acreage

STATE OF TEXAS)(
COUNTY OF BASTROP)(KNOW ALL MEN BY THESE PRESENTS:

THAT, SABINE INVESTMENT COMPANY, ACTING HEREIN BY AND THROUGH STEVE MILLS, PRESIDENT AND BEING OWNER OF THAT CERTAIN 283.001 ACRES OF LAND OUT OF THE NANCY BLAKEY SURVEY, ABSTRACT NO. 98, SITUATED IN BASTROP COUNTY, TEXAS, AS CONVEYED TO SABINE INVESTMENTS COMPANY, BY DEED RECORDED IN VOLUME 1113, PAGE 870, OF THE DEED RECORDS OF BASTROP COUNTY, TEXAS, DO HEREBY SUBDIVIDE 12.455 ACRES OF LAND, IN ACCORDANCE WITH THE ATTACHED MAP OR PLAT, TO BE KNOWN AS

"HUNTERS CROSSING SECTION EIGHT A",

AND DOES HEREBY DEDICATE TO THE PUBLIC, THE USE OF THE STREETS AND EASEMENTS SHOWN HEREON, SUBJECT TO ANY EASEMENTS AND/OR RESTRICTIONS HERETOFORE GRANTED AND NOT RELEASED.

WITNESS MY HAND, THIS THE 22nd DAY OF December, 2005 A.D.

Steve Mills
STEVE MILLS, PRESIDENT
SABINE INVESTMENT COMPANY

STATE OF TEXAS)(
COUNTY OF BASTROP)(KNOW ALL MEN BY THESE PRESENTS:

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED STEVE MILLS, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT OF WRITING, AND HE ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

WITNESS MY HAND AND SEAL OF OFFICE, THIS THE 22nd DAY OF December, 2005 A.D.

Tracie J Bone
NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

TRACIE J. BONE
MY COMMISSION EXPIRES
July 16, 2008

THE STREET NAMES, AS SHOWN HEREON, PROVIDE CONTINUITY WITH EXISTING STREETS AND DO NOT CONFLICT WITH IDENTICAL OR SIMILAR NAMES.

Julie Sommerfeld 12-22-05
JULIE SOMERFELD DATE
911 COORDINATOR

STATE OF TEXAS)(
COUNTY OF BASTROP)(KNOW ALL MEN BY THESE PRESENTS:

I, ROSE PIETSCH, CLERK OF BASTROP COUNTY, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING AND ITS CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE 22nd DAY OF December, 2005 A.D., IN THE PLAT RECORDS OF SAID COUNTY AND STATE IN PLAT CABINET 4, PAGE(s) 181-B. FILED FOR RECORED AT 12:40 O'CLOCK P.M., THIS 22nd DAY OF December, 2005 A.D.,

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THE 22nd DAY OF December, 2005 A.D.

Rose Pietsch, COUNTY CLERK, BASTROP COUNTY, TEXAS

COUNTY COURT OF BASTROP COUNTY, TEXAS

BY: DEPUTY

NOTE:

ALL DEVELOPED FLOWS AND DRAINAGE PATTERNS SHALL BE IN CONFORMANCE WITH STONE CREEK ENGINEERING DRAINAGE STUDY TITLED "HUNTER CROSSING, BASTROP, TEXAS HYDROLOGIC AND HYDRAULIC ANALYSIS FOR FEMA CONDITIONAL LETTER OF MAP REVISION BY STONE CREEK ENGINEERING SERVICES, INC.

DATED August 8, 2002

STATE OF TEXAS)(
COUNTY OF TRAVIS)(KNOW ALL MEN BY THESE PRESENTS:

I, CHARLES R. BRIGANCE JR., P.E., DO HEREBY CERTIFY THAT THE STREETS AND DRAINAGE DESIGN, AS SHOWN HEREON, COMPLIES WITH THE SUBDIVISION REGULATIONS FOR THE CITY OF BASTROP, AND THAT THE 100 YEAR FLOOD PLAIN IS AS SHOWN AND WILL BE CONTAINED WITHIN THE DRAINAGE EASEMENT AND OR DRAINAGE RIGHT-OF-WAY, AS SHOWN HEREON.

ENGINEERING BY: Brett R Pasquarella DATE 12·22·05
BRETT R. PASQUARELLA, P.E. NO. 84769
CARLSON, BRIGANCE & DOERING, INC.
3401 SLAUGHTER LANE WEST
AUSTIN, TEXAS 78748

STATE OF TEXAS
BRETT R. PASQUARELLA
84769
LICENSED PROFESSIONAL ENGINEER

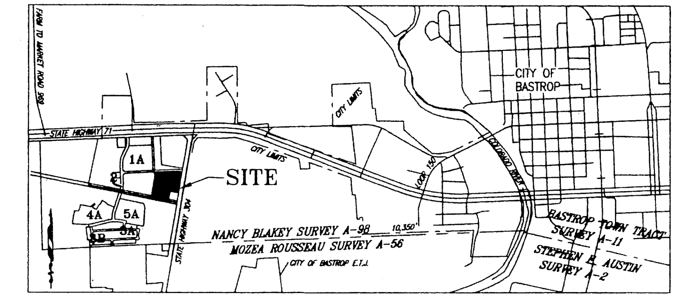
STATE OF TEXAS)(
COUNTY OF TRAVIS)(KNOW ALL MEN BY THESE PRESENTS:

THAT I, THOMAS J. DODD, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE ON-THE-GROUND SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATION OF THE CITY OF BASTROP, BASTROP COUNTY, TEXAS

SURVEYED BY: DATE 12-22-05
THOMAS J. DODD, R.P.L.S. NO. 1882
CARLSON, BRIGANCE & DOERING, INC.
3401 SLAUGHTER LANE WEST
AUSTIN, TEXAS 78748

STATE OF TEXAS
REGISTERED
LAND SURVEYOR

FILED
DEC 2 2 2005 M
Rose Pietsch
COUNTY CLERK
BASTROP COUNTY, TEXAS



LOCATION MAP
NOT TO SCALE

APPROVED THIS 8th DAY OF November, 2005
BY THE CITY COUNCIL OF BASTROP COUNTY, TEXAS.

APPROVED: Tom Scott
TOM SCOTT,
MAYOR OF THE CITY OF BASTROP, TEXAS

ATTEST: Yvonne Valdez
CITY SECRETARY,
CITY OF BASTROP, TEXAS

DATE. NOVEMBER 4, 2005

FLOOD PLAIN NOTE:

NO PORTION OF THIS TRACT LIES WITHIN A DESIGNATED FLOOD HAZARD AREA, ZONE A, AS SHOWN ON THE FEDERAL FLOOD INSURANCE ADMINISTRATION RATE MAP NO. 48021 C 0112 C, AND 48021 C 114 C FOR BASTROP COUNTY TEXAS, DATED JULY 8, 2004.

GENERAL NOTES:

1. LOT 1 IS A MULTI-FAMILY LOT.
2. BUILDING LINES SHALL CONFORM TO THE P.D.D. ORDINANCE APPROVAL BY THE CITY OF BASTROP.
3. A 20' PUE IS HEREBY DEDICATED ADJACENT TO AND PARALLEL WITH ALL THE STREETS IN THIS SUBDIVISION.
4. LOTS IN THIS PLAT ARE SUBJECT TO "ACCELERATION FEES" FOR WATER AND WASTEWATER SERVICE FROM THE CITY OF BASTROP. THESE "ACCELERATION FEES" ARE NOT TO EXCEED $2,800 PER SERVICE UNIT EQUIVALENT (SUE) AS PER DEVELOPER AGREEMENT VOLUME 1353, PAGE 640 BCDR.
5. THE LOT IN THIS PLAT IS PART OF PLANNED DEVELOPMENT ZONING, CITY OF BASTROP ORDINANCE NO. 2003-36.
6. THE LOT IN THIS PLAT IS WITHIN THE HUNTERS CROSSING PUBLIC IMPROVEMENT DISTRICT (PID). THE LOTS, AND ALL OTHER PROPERTY WITHIN THE PID, ARE SUBJECT TO PID ASSESSMENTS. THE PID IS RESPONSIBLE FOR MAINTENANCE OF COLLECTOR STREET RIGHT-OF-WAY LANDSCAPING AND DRAINAGE RIGHT-OF-WAY.
7. THE DEVELOPER, FINLAY DEVELOPMENT, LLC AND THEIR ASSIGNS ARE RESPONSIBLE FOR INSTALLATION AND MAINTENANCE OF LANDSCAPE, IRRIGATION AND PEDESTRIAN FEATURES WITHIN THE RECREATION EASEMENT SHOWN HEREON AND IN ADJACENT RIGHT-OF-WAYS.
8. A WATERLINE EASEMENT IS HEREBY DEDICATED TO THE CITY OF BASTROP WHICH EXTENDS 7.5 FEET IN EITHER DIRECTION FROM A WATERLINE, WATERLINE FITTING, WATER METER, SERVICE TAP, OR FIRE HYDRANT WHICH MAY BE INSTALLED WITHIN THIS SUBDIVISION AND WHICH MAY BE DEDICATED TO THE CITY OF BASTROP FOR ACCESS BY IT'S EMPLOYEES OR AGENTS FOR THE PURPOSE OF MAINTENANCE, OPERATION, REPAIR, REPLACEMENT, OR ABANDONMENT.
9. ALL STRUCTURES WITHIN THIS PLAT ARE TO HAVE A MINIMUM FINISHED FLOOR ELEVATION OF 369.00'.
10. ALL STORMWATER FLOWS AND DRAINAGE PATTERNS SHALL BE IN CONFORMANCE WITH THE STONE CREEK ENGINEERING DRAINAGE STUDY TITLED HUNTERS CROSSING, BASTROP, TEXAS HYDROLOGIC AND HYDRAULIC ANALYSIS FOR F.M.A. CONDITIONAL LETTER OF MAP REVISION BY STONE CREEK ENGINEERING SERVICES, INC., DATED FEBRUARY 12, 2004.

OWNER:
SABINE INVESTMENT COMPANY
ADDRESS: 1015 MAIN STREET
BASTROP, TEXAS 78602
PHONE: (512) 303-0060
FAX: (512) 303-7392

DEVELOPER:
FINLAY DEVELOPMENT, LLC
ADDRESS: 4300 MARSH LANDING BLVE., SUITE 101
JACKSONVILLE BEACH, FL 32250
PHONE: (904) 694-1025
FAX: (904) 694-1067

ENGINEER AND SURVEYOR:
CARLSON, BRIGANCE & DOERING, INC.
3401 SLAUGHTER LANE WEST
AUSTIN, TEXAS 78748
PHONE: (512) 280-5160
FAX: (512) 280-5165

TOTAL ACREAGE: 12.455 ACRES
SURVEY: NANCY BLAKEY SURVEY, A-98

NO. OF LOTS: 1
NO. OF BLOCKS: 1

F.E.M.A. MAP NO. 48021 C 0112 C AND 48021 C 114 C
BASTROP COUNTY, TEXAS DATED: JULY 8, 2004.

Carlson, Brigance & Doering, Inc.
Civil Engineering ♦ Surveying
3401 Slaughter Lane West ♦ Austin, Texas 78748
Phone No. (512) 280-5160 ♦ Fax No. (512) 280-5165

PATH - G:\PROJ\4023\PLAT.DWG

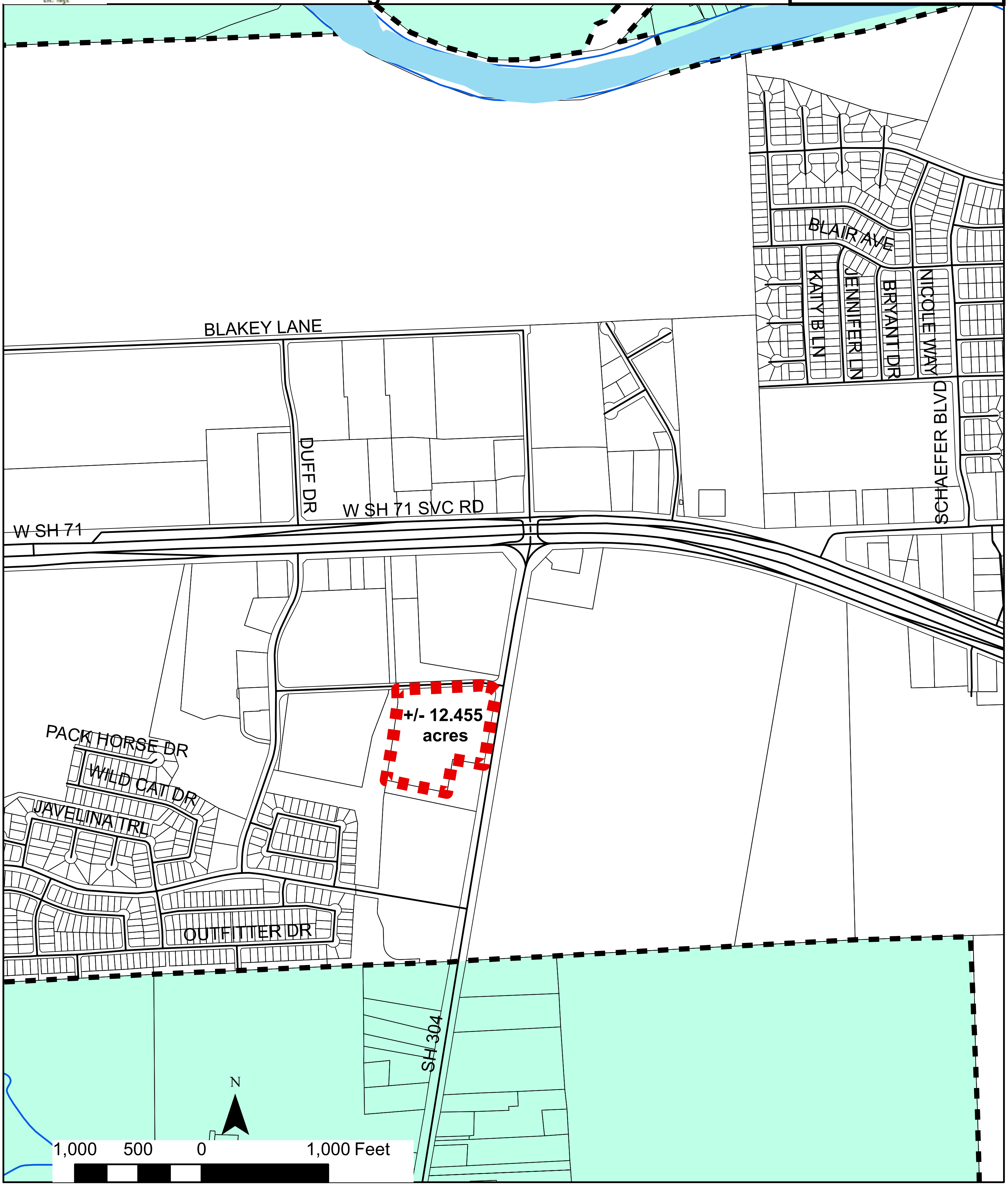
05/04/2012

Parcel & Zoning Location Map

Vacation of Plat:
Hunters Crossing, Section Eight A,
being 12.455 acres

Legend 40

roads
Parcels
Bastrop City Limits



NOTICE OF PUBLIC HEARINGS
PLANNING AND ZONING COMMISSION AND CITY COUNCIL

Dear Property Owner:

The Bastrop Planning and Zoning Commission will hold a public hearing on Thursday, April 26, 2012, at 6:00 p.m. and the Bastrop City Council will hold a public hearing Tuesday, May 8, 2012 at 6:00 p.m. in the City Council Chambers located at 1311 Chestnut Street, Bastrop, Texas to consider a request to vacate Hunters Crossing Section 8A. The plat consists of +/-12.455 acres in the Bastrop, Texas city limits. The plat was recorded in the County Clerk's office of Bastrop County, Texas on December 22, 2005 in Plat cabinet 4 Page 181-B.

Applicant: Forestar (USA) Real Estate Group Inc.

Legal Description: Hunters Crossing Section Eight A being +/-12.455 acres

PLEASE SEE ATTACHED SITE LOCATION MAP AND 11 X 17 OF THE RECORDED PLAT

As a property owner within 200' of the above referenced property, you are being notified of the public hearings and invited to attend to express your opinion. Petitions and letters, either in support or opposition to this request, may be submitted to the Planning Department at 1311 Chestnut Street or mailed to P.O. Box 427, Bastrop, Texas 78602 (512) 332-8843 any time prior to the public hearings.

PROPERTY OWNER'S RESPONSE

As a property owner within 200': (please check √ one)

- [x] I am in favor the request.
- [ ] I am opposed to the request.

Property Owner Name: ______________________
Property Address: ______________________ Phone (optional): ______________________
Mailing Address: ______________________ Email (optional): ______________________

Property Owner's Signature: ______________________
Comments: (Optional)

____

____

Please provide reply to:
Planning and Development Department
City of Bastrop, P.O. Box 427, Bastrop, Texas 78602 or via fax (512) 332-0279

Re: Vacate Hunters Crossing Section Eight A
(notices mailed 4/4/2012)

STATEMENT OF VACATION AND CANCELLATION OF RECORDED PLAT OF HUNTERS CROSSING, SECTION 8A CONSISTING OF ±12.455 ACRES IN THE CITY LIMITS OF BASTROP, TEXAS

STATE OF TEXAS §
§
COUNTY OF BASTROP §

WHEREAS, Forestar (USA) Real Estate Group, Inc. owners, do own a ± 12.455 acre tract of land situated in a portion of Hunters Crossing Subdivision, known as Section 8A located in the City limits of Bastrop, Texas, the plat of which is recorded in Plat Cabinet 4, Page 181-B of the Bastrop County Courthouse, Bastrop County, Texas; and

WHEREAS, Forestar (USA) Real Estate Group, Inc. owners, declare the plat known as Section 8A being ± 12.455 acre tract of land situated in a portion of Hunters Crossing Subdivision, dated November 8, 2005 and recorded in Plat Cabinet 4, Page181-B of the Bastrop County Courthouse, Bastrop County, Texas, to be vacated and cancelled, so as to destroy the force and effect of the recording of such subdivision plat.

NOW, THEREFORE:

Forestar (USA) Real Estate Group, Inc. owners, for and in consideration of the premises and pursuant to the provisions of Chapter 212, Section 212.013, *et seq*. of the Local Government Code, do hereby vacate and cancel the following:

Section 8A being ± 12.455 acres within Hunters Crossing Subdivision

EXECUTED THE DAYS HEREAFTER NOTED.

DATE **OWNER'S SIGNATURE**

____

By:____________________________________

STATE OF TEXAS §
COUNTY OF BASTROP §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Forestar (USA) Real Estate Group, Inc. in his/her capacity as owner of the ±12.455 acre tract of land a portion of Hunters Crossing Subdivision, known as Section 8A, known to me to be the person whose name is subscribed to the foregoing instrument, which plat is recorded in Plat Cabinet 4, Page 181-B of the Bastrop County Courthouse records, Bastrop, Texas, and acknowledged that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL of office this the _____ day of _______________, 2012.

____
Printed Name:________________________________
Notary Public in and for the State of Texas

ACTION OF THE CITY OF BASTROP PLANNING AND ZONING COMMISSION APPROVAL OF PLAT VACATION

BE IT KNOWN, that on the 26th day of April, 2012, the Planning and Zoning Commission of the City of Bastrop, Texas, at its regular meeting, did consider and recommend approval of the vacation and cancellation of a portion of the Plat of Hunters Crossing Subdivision, being ±12.455 acres known as Section 8A within in the City of Bastrop, Texas recorded in Plat Cabinet 4, Page 181-B of the Bastrop, County, Texas Plat Records, upon application therefore of the owners of said subdivision.

EXECUTED, this ___________ day of _________, 2012.

____
Lisa Patterson, Chair
Planning & Zoning Commission
City of Bastrop
Bastrop County, Texas

ATTEST:

____
Melissa M. McCollum, AICP, LEED AP
Director of Planning and Development Department

STATE OF TEXAS §
COUNTY OF BASTROP §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Lisa Patterson known to me to be the person whose name is subscribed to the foregoing instrument as the Chair of the Planning and Zoning Commission of the City of Bastrop, Texas, a municipal corporation, and she acknowledged that she executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL of office this the _____ day of ______________, 2012.

____
Printed Name:________________________________
Notary Public in and for the State of Texas

ACTION OF THE CITY OF BASTROP CITY COUNCIL
APPROVAL OF PLAT VACATION

BE IT KNOWN, that on the 8th day of May, 2012, the City Council of the City of Bastrop, at its regular meeting, did consider and approve the vacation and cancellation of a portion of the Plat for Hunters Crossing Subdivision, being ±12.455 acres known as Section 8A within in the City of Bastrop, Texas recorded in Plat Cabinet 4, Page 181-B of the Bastrop, County, Texas Plat Records, upon application therefore of the owners of said subdivision.

EXECUTED, this ___________ day of _________, 2012.

____
Terry Orr, Mayor
City Council
City of Bastrop, Texas

ATTEST:

____
Teresa Valdez
City Secretary

STATE OF TEXAS §
COUNTY OF BASTROP §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Terry Orr known to me to be the person whose name is subscribed to the foregoing instrument as the Mayor of the City Council of the City of Bastrop, Texas, a municipal corporation, and he acknowledged that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL of office this the _____ day of ______________, 2012.

____
Printed Name:______________________________
Notary Public in and for the State of Texas

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL

DATE SUBMITTED: May 1, 2012
MEETING DATE: May 8, 2012

1. Agenda Item: **Consideration, discussion and possible action to vacate Hunters Crossing, Section 8A. The plat to be vacated consists of approximately 12.455 acres in the Hunters Crossing Subdivision located west of Highway 304 and south of Home Depot Way, in the city limits of Bastrop, Texas.**

2. Party Making Request: **Darlene Louk for Forestar (USA) Real Estate Group Inc.**

3. Nature of Request: (Brief Overview) Attachments: Yes ____ No ______

The 12.455 acre lot, Hunters Crossing, Section 8A is currently vacant. The vacation process is following the procedures outlined in Texas Local Government Code Section 212.013.

4. Policy Implication: ______________________________

5. Budgeted: _________Yes __________No N/A
   Bid Amount: ________________ Budgeted Amount: ________________
   Under Budget: ________________ Over Budget: ________________
   Amount Remaining: ________________

6. Alternate Option/Costs: ______________________________

7. Routing:

NAME/TITLE	INITIAL	DATE	CONCURRENCE
a)			

8. Staff Recommendation: **Staff recommends approval of the request to vacate the plat for Hunters Crossing, Section 8A.**

9. Advisory Board: **XXXX Recommended Approval** ______ Recommended Denial ______None

The Planning and Zoning Commission conducted a public hearing on April 26, 2012 and voted 7-0 to recommend approval of vacating the plat for Hunters Crossing, Section 8A.

10. Manager's Recommendation: __________Approved __________Disapproved __________None

11. Action Taken: ______________________________

STATEMENT OF VACATION AND CANCELLATION OF RECORDED PLAT OF HUNTERS CROSSING, SECTION 8A CONSISTING OF ±12.455 ACRES IN THE CITY LIMITS OF BASTROP, TEXAS

STATE OF TEXAS §
§
COUNTY OF BASTROP §

WHEREAS, Forestar (USA) Real Estate Group, Inc. owners, do own a ± 12.455 acre tract of land situated in a portion of Hunters Crossing Subdivision, known as Section 8A located in the City limits of Bastrop, Texas, the plat of which is recorded in Plat Cabinet 4, Page 181-B of the Bastrop County Courthouse, Bastrop County, Texas; and

WHEREAS, Forestar (USA) Real Estate Group, Inc. owners, declare the plat known as Section 8A being ± 12.455 acre tract of land situated in a portion of Hunters Crossing Subdivision, dated November 8, 2005 and recorded in Plat Cabinet 4, Page181-B of the Bastrop County Courthouse, Bastrop County, Texas, to be vacated and cancelled, so as to destroy the force and effect of the recording of such subdivision plat.

NOW, THEREFORE:

Forestar (USA) Real Estate Group, Inc. owners, for and in consideration of the premises and pursuant to the provisions of Chapter 212, Section 212.013, *et seq*. of the Local Government Code, do hereby vacate and cancel the following:

Section 8A being ± 12.455 acres within Hunters Crossing Subdivision

EXECUTED THE DAYS HEREAFTER NOTED.

DATE **OWNER'S SIGNATURE**

____

By:____________________________________

STATE OF TEXAS §
COUNTY OF BASTROP §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Forestar (USA) Real Estate Group, Inc. in his/her capacity as owner of the ±12.455 acre tract of land a portion of Hunters Crossing Subdivision, known as Section 8A, known to me to be the person whose name is subscribed to the foregoing instrument, which plat is recorded in Plat Cabinet 4, Page 181-B of the Bastrop County Courthouse records, Bastrop, Texas, and acknowledged that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL of office this the _____ day of _______________, 2012.

____
Printed Name:________________________________
Notary Public in and for the State of Texas

ACTION OF THE CITY OF BASTROP PLANNING AND ZONING COMMISSION APPROVAL OF PLAT VACATION

BE IT KNOWN, that on the 26th day of April, 2012, the Planning and Zoning Commission of the City of Bastrop, Texas, at its regular meeting, did consider and recommend approval of the vacation and cancellation of a portion of the Plat of Hunters Crossing Subdivision, being ±12.455 acres known as Section 8A within in the City of Bastrop, Texas recorded in Plat Cabinet 4, Page 181-B of the Bastrop, County, Texas Plat Records, upon application therefore of the owners of said subdivision.

EXECUTED, this ___________ day of _________, 2012.

____
Lisa Patterson, Chair
Planning & Zoning Commission
City of Bastrop
Bastrop County, Texas

ATTEST:

____
Melissa M. McCollum, AICP, LEED AP
Director of Planning and Development Department

STATE OF TEXAS §
COUNTY OF BASTROP §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Lisa Patterson known to me to be the person whose name is subscribed to the foregoing instrument as the Chair of the Planning and Zoning Commission of the City of Bastrop, Texas, a municipal corporation, and she acknowledged that she executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL of office this the _____ day of ______________, 2012.

____
Printed Name:_____________________________
Notary Public in and for the State of Texas

ACTION OF THE CITY OF BASTROP CITY COUNCIL
APPROVAL OF PLAT VACATION

BE IT KNOWN, that on the 8th day of May, 2012, the City Council of the City of Bastrop, at its regular meeting, did consider and approve the vacation and cancellation of a portion of the Plat for Hunters Crossing Subdivision, being ±12.455 acres known as Section 8A within in the City of Bastrop, Texas recorded in Plat Cabinet 4, Page 181-B of the Bastrop, County, Texas Plat Records, upon application therefore of the owners of said subdivision.

EXECUTED, this ___________ day of _________, 2012.

____
Terry Orr, Mayor
City Council
City of Bastrop, Texas

ATTEST:

____
Teresa Valdez
City Secretary

STATE OF TEXAS §
COUNTY OF BASTROP §

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Terry Orr known to me to be the person whose name is subscribed to the foregoing instrument as the Mayor of the City Council of the City of Bastrop, Texas, a municipal corporation, and he acknowledged that he executed the same for the purposes and considerations therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL of office this the _____ day of ______________, 2012.

____
Printed Name:_______________________________
Notary Public in and for the State of Texas

CITY OF BASTROP **AGENDA ITEM D.1**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL **DATE SUBMITTED: May 2, 2012**

MEETING DATE: May 8, 2012

1. Agenda Item: **Consideration, discussion and possible action on adjusting the speed limit on Farm Street.**

2. Party Making Request: **Michael H. Talbot**

3. Nature of Request: (Brief Overview) Attachments: Yes __X__ No ______

Attached for your review is a summary memo concerning the results of the traffic speed survey (attached) that was undertaken by City staff regarding Farm Street. This traffic speed survey was done at the request of the City Council.

4. Policy Implication: ____________________

5. Budgeted: _________Yes __________No N/A
   Bid Amount: ______________ Budgeted Amount: ______________
   Under Budget: ______________ Over Budget: ______________
   Amount Remaining: ______________

6. Alternate Option/Costs: ____________________

7. Routing: **NAME/TITLE INITIAL DATE CONCURRENCE**
   a) ____________________
   b) ____________________
   c) ____________________

8. Staff Recommendation:

9. Advisory Board: _________Approved _________Disapproved ___________None

10. Manager's Recommendation: __________Approved __________Disapproved __________None

11. Action Taken: ____________________
____

CITY OF BASTROP

SPEED ANALYSIS – FARM STREET

The City of Bastrop Police Department, with the assistance of the Public Works Department, conducted a speed analysis on Farm Street. The traffic/speed counters were set on Fayette/Farm and Pecan/Farm. The test was performed over the period of Tuesday, April 17 at 10 am to Friday, April 20 at 10 am.

Farm/Fayette Street

Enclosed you will find Attachment A for the Farm/Fayette Street section with a posted speed limit (PSL) of 30 mph. Reviewing the data, you will note that during the test period there were 1,610 vehicles as shown in the second from left column. During this period, there was a total of 380 vehicles or 23.6%, which exceeded the speed limit of 30 mph. Therefore, 1,230 (1,610 – 380) or 76.4% of the vehicles posted a speed of less than 30 mph. The mean speed for all 1,610 vehicles was 25.9 mph and the median was 26.2 mph. The column of 85%, which represents 85% of all vehicles the speed was 31.5 mph and 95% was 34.4 mph.

For example, reviewing the time of 10:00 am, there were 60 vehicles with a mean speed of 25.8 mph, median of 26.8 mph, 85% of vehicles of 30.4 mph and 14 vehicles or 23.3% exceeding the 30 mph posted speed limit.

Overall, the residents are complying with the posted speed limit. With the mean and median being below the 30 mph posted speed limit and the 85% equaling 31.5 mph and 95% equaling 34.4 mph, less than 5% exceed a 5 mph tolerance.

Farm/Pecan Street

Enclosed you will find Attachment B for the Farm/Pecan Street section with a posted speed limit (PSL) of 20 mph. Reviewing the data, you will note that during the test period there were 2,851 vehicles as shown in the second from left column. During this period, there was a total of 1,821 vehicles or 63.9%, which exceeded the speed limit of 20 mph. Therefore, 1,030 (2,851 – 1,821) or 36.1% of the vehicles posted a speed of less than 20 mph. The mean speed for all 2,851 vehicles was 21.0 mph and the median was 21.0 mph. The column of 85%, which represents 85% of all vehicles the speed was 24.2 mph and 95% was 26.2 mph.

For example, reviewing the time of 10:00 am, there were 159 vehicles with a mean speed of 20.6 mph, median of 20.6 mph, 85% of vehicles of 23.7 mph and 94 vehicles or 59.1% exceeding the 20 mph posted speed limit.

Overall, the majority of the residents are exceeding the posted speed limit. With the mean and median being 21.0 mph and the 85% equaling 24.2 mph and 95% equaling 26.2 mph, less than 15% exceed a 5 mph tolerance. It should be noted that the police department normally allows a tolerance above the posted speed limit.

Summary

The City of Bastrop residential streets have a posted speed limit of 30 mph. Normally, a narrow street, school zone or other obstacles would warrant a lesser speed limit. However, Farm Street from Fayette to Gill's Branch is a newly constructed wide residential street with adequate space. With the data above, I would recommend that the speed limit of 30 mph remain in place as is common with residential streets. Changing the speed limit on a residential street could cause other issues in other locations for the City of Bastrop.

April 27, 2012

Exhibit A

MetroCount Traffic Executive
Speed Statistics by Hour

54

SpeedStatHour-21 -- English (ENU)

Datasets:

Site:	**[Farm @ Fayette] !<30MPH>**
Direction:	8 - East bound A>B, West bound B>A. **Lane:** 0
Survey Duration:	9:53 Monday, April 16, 2012 => 9:27 Monday, April 23, 2012
Zone:	
File:	UMFarm @ Fayette423.EC0 (Plus)
Identifier:	U680S0SJ MC56-L5 [MC55] (c)Microcom 19Oct04
Algorithm:	Factory default (v3.21 - 15315)
Data type:	Axle sensors - Paired (Class/Speed/Count)

Profile:

Filter time:	**10:00 Tuesday, April 17, 2012 => 10:00 Friday, April 20, 2012**
Included classes:	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13
Speed range:	5 - 100 mph.
Direction:	North, East, South, West (bound)
Separation:	All - (Headway)
Name:	Default Profile
Scheme:	Vehicle classification (Scheme F2)
Units:	Non metric (ft, mi, ft/s, mph, lb, ton)
In profile:	Vehicles = 1610 / 3415 (47.14%)

05/04/2012

Speed Statistics by Hour

55

05/04/2012

SpeedStatHour-22

Site:	FARM @ PECAN.0.0EW
Description:	**!<20MPH>**
Filter time:	**10:00 Tuesday, April 17, 2012 => 10:00 Friday, April 20, 2012**
Scheme:	Vehicle classification (Scheme F2)
Filter:	Cls(1 2 3 4 5 6 7 8 9 10 11 12 13) Dir(NESW) Sp(5,100) Headway(>0)

Vehicles = 2851
Posted speed limit = 20 mph, Exceeding = 1821 (63.87%), Mean Exceeding = 22.96 mph
Limit 1 (20 * 100%) + 10 = 30 mph, Exceeding = 10 (0.35%)
Limit 2 (20 * 100%) + 15 = 35 mph, Exceeding = 0 (0.00%)
Limit 3 (20 * 100%) + 20 = 40 mph, Exceeding = 0 (0.00%)
Maximum = 34.9 mph, **Minimum** = 6.9 mph, **Mean** = 21.0 mph
85% Speed = 24.2 mph, **95% Speed** = 26.2 mph, **Median** = 21.0 mph
10 mph Pace = 16 - 26, **Number in Pace** = 2482 (87.06%)
Variance = 12.03, **Standard Deviation** = 3.47 mph

Hour Bins

Time	Bin		Min	Max	Mean	Median	85%	95%	>PSL 20 mph		Limit 1 30 mph		Limit 2 35 mph		Limit 3 40 mph	
0000	2	0.1%	17.8	19.4	18.6	17.7	19.2	19.2	0	0.0%	0	0.0%	0	0.0%	0	0.0%
0100	4	0.1%	15.9	25.2	21.2	21.3	22.1	25.1	3	75.0%	0	0.0%	0	0.0%	0	0.0%
0200	0	0.0%	0.0	0.0	0.0	0.0	0.0	0.0	0	0.0%	0	0.0%	0	0.0%	0	0.0%
0300	1	0.0%	25.9	25.9	25.9	25.7	25.7	25.7	1	100.0%	0	0.0%	0	0.0%	0	0.0%
0400	5	0.2%	9.6	21.5	16.5	18.6	19.0	21.3	1	20.0%	0	0.0%	0	0.0%	0	0.0%
0500	8	0.3%	15.5	23.8	20.2	19.9	22.1	23.7	5	62.5%	0	0.0%	0	0.0%	0	0.0%
0600	26	0.9%	12.9	28.0	20.7	21.5	23.0	24.6	16	61.5%	0	0.0%	0	0.0%	0	0.0%
0700	239	8.4%	14.8	29.7	21.3	20.8	24.4	26.2	168	70.3%	0	0.0%	0	0.0%	0	0.0%
0800	183	6.4%	10.9	30.4	20.4	20.4	23.3	25.3	102	55.7%	1	0.5%	0	0.0%	0	0.0%
0900	168	5.9%	7.9	30.4	20.4	20.4	23.7	25.9	96	57.1%	1	0.6%	0	0.0%	0	0.0%
1000	159	5.6%	8.5	32.1	20.6	20.6	23.7	25.5	94	59.1%	1	0.6%	0	0.0%	0	0.0%
1100	201	7.1%	9.7	34.9	21.0	21.0	23.7	25.7	130	64.7%	2	1.0%	0	0.0%	0	0.0%
1200	244	8.6%	7.7	32.4	21.2	21.3	24.4	26.6	157	64.3%	2	0.8%	0	0.0%	0	0.0%
1300	217	7.6%	9.9	28.9	21.3	21.7	24.6	27.1	145	66.8%	0	0.0%	0	0.0%	0	0.0%
1400	215	7.5%	9.6	29.5	21.0	21.5	24.2	25.7	140	65.1%	0	0.0%	0	0.0%	0	0.0%
1500	212	7.4%	9.0	33.3	21.2	21.5	24.2	26.6	142	67.0%	1	0.5%	0	0.0%	0	0.0%
1600	262	9.2%	7.3	33.9	21.3	21.3	24.2	26.4	185	70.6%	1	0.4%	0	0.0%	0	0.0%
1700	324	11.4%	6.9	30.7	21.1	21.0	24.4	26.4	208	64.2%	1	0.3%	0	0.0%	0	0.0%
1800	140	4.9%	11.5	29.7	21.3	21.3	24.8	26.4	91	65.0%	0	0.0%	0	0.0%	0	0.0%
1900	92	3.2%	9.9	25.9	19.8	20.6	23.5	24.4	55	59.8%	0	0.0%	0	0.0%	0	0.0%
2000	87	3.1%	9.4	27.7	19.8	19.9	23.7	25.1	44	50.6%	0	0.0%	0	0.0%	0	0.0%
2100	36	1.3%	16.8	26.1	20.9	20.4	23.5	24.8	22	61.1%	0	0.0%	0	0.0%	0	0.0%
2200	19	0.7%	11.5	25.6	21.0	21.3	23.5	24.8	12	63.2%	0	0.0%	0	0.0%	0	0.0%
2300	7	0.2%	13.5	24.0	19.9	21.5	23.0	23.9	4	57.1%	0	0.0%	0	0.0%	0	0.0%
----	**2851**	**100.0%**	**6.9**	**34.9**	**21.0**	**21.0**	**24.2**	**26.2**	**1821**	**63.9%**	**10**	**0.4%**	**0**	**0.0%**	**0**	**0.0%**

1030 < 20 mph
PSL
36.1%

1821 is Total exceeding PSL

Exhibit "B"

MetroCount Traffic Executive
Speed Statistics by Hour

SpeedStatHour-22 -- English (ENU)

Datasets:

Site:	**[FARM @ PECAN] !<20MPH>**
Direction:	8 - East bound A>B, West bound B>A. **Lane:** 0
Survey Duration:	10:06 Monday, April 16, 2012 => 10:35 Monday, April 23, 2012
Zone:	
File:	UMFARM @ PECAN423.EC0 (Plus)
Identifier:	U6842XZ8 MC56-L5 [MC55] (c)Microcom 19Oct04
Algorithm:	Factory default (v3.21 - 15315)
Data type:	Axle sensors - Paired (Class/Speed/Count)

Profile:

Filter time:	**10:00 Tuesday, April 17, 2012 => 10:00 Friday, April 20, 2012**
Included classes:	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13
Speed range:	5 - 100 mph.
Direction:	North, East, South, West (bound)
Separation:	All - (Headway)
Name:	Default Profile
Scheme:	Vehicle classification (Scheme F2)
Units:	Non metric (ft, mi, ft/s, mph, lb, ton)
In profile:	Vehicles = 2851 / 5631 (50.63%)

05/04/2012

Speed Statistics by Hour

SpeedStatHour-21
57
Site: Farm @ Fayette.0.0EW
Description: !<30MPH>
Filter time: **10:00 Tuesday, April 17, 2012 => 10:00 Friday, April 20, 2012**
Scheme: Vehicle classification (Scheme F2)
Filter: Cls(1 2 3 4 5 6 7 8 9 10 11 12 13) Dir(NESW) Sp(5,100) Headway(>0)

Vehicles = 1610
Posted speed limit = 30 mph, Exceeding = 380 (23.60%), Mean Exceeding = 33.17 mph
Limit 1 (30 * 100%) + 10 = 40 mph, Exceeding = 18 (1.12%)
Limit 2 (30 * 100%) + 15 = 45 mph, Exceeding = 3 (0.19%)
Limit 3 (30 * 100%) + 20 = 50 mph, Exceeding = 1 (0.06%)
Maximum = 50.2 mph, **Minimum** = 6.0 mph, **Mean** = 25.9 mph
85% Speed = 31.5 mph, **95% Speed** = 34.4 mph, **Median** = 26.2 mph
10 mph Pace = 22 - 32, **Number in Pace** = 1019 (63.29%)
Variance = 33.50, **Standard Deviation** = 5.79 mph

Hour Bins

Time	Bin		Min	Max	Mean	Median	85%	95%	>PSL 30 mph		Limit 1 40 mph		Limit 2 45 mph		Limit 3 50 mph	
0000	1	0.1%	35.6	35.6	35.6	35.6	35.6	35.6	1	100.0%	0	0.0%	0	0.0%	0	0.0%
0100	3	0.2%	18.9	31.8	26.2	27.7	31.8	31.8	1	33.3%	0	0.0%	0	0.0%	0	0.0%
0200	0	0.0%	0.0	0.0	0.0	0.0	0.0	0.0	0	0.0%	0	0.0%	0	0.0%	0	0.0%
0300	2	0.1%	22.1	23.9	23.0	21.9	23.7	23.7	0	0.0%	0	0.0%	0	0.0%	0	0.0%
0400	6	0.4%	16.6	29.1	25.5	27.3	28.6	29.1	0	0.0%	0	0.0%	0	0.0%	0	0.0%
0500	2	0.1%	23.3	23.5	23.4	23.3	23.5	23.5	0	0.0%	0	0.0%	0	0.0%	0	0.0%
0600	36	2.2%	10.5	33.3	27.2	27.5	31.3	32.7	10	27.8%	0	0.0%	0	0.0%	0	0.0%
0700	244	15.2%	9.1	50.2	25.0	25.1	30.4	33.6	48	19.7%	4	1.6%	1	0.4%	1	0.4%
0800	80	5.0%	6.0	37.1	24.4	24.4	29.8	31.1	12	15.0%	0	0.0%	0	0.0%	0	0.0%
0900	73	4.5%	12.6	36.9	24.6	24.4	30.2	33.3	12	16.4%	0	0.0%	0	0.0%	0	0.0%
1000	60	3.7%	8.8	38.8	25.8	26.8	30.4	33.8	14	23.3%	0	0.0%	0	0.0%	0	0.0%
1100	72	4.5%	6.4	38.2	25.1	25.7	30.9	32.7	15	20.8%	0	0.0%	0	0.0%	0	0.0%
1200	103	6.4%	11.9	39.5	26.9	27.7	32.9	34.9	37	35.9%	0	0.0%	0	0.0%	0	0.0%
1300	84	5.2%	9.0	46.5	25.7	26.4	30.6	32.9	16	19.0%	1	1.2%	1	1.2%	0	0.0%
1400	119	7.4%	12.5	42.0	26.4	26.6	32.2	34.4	33	27.7%	2	1.7%	0	0.0%	0	0.0%
1500	105	6.5%	8.4	47.9	25.4	25.5	31.1	34.9	25	23.8%	1	1.0%	1	1.0%	0	0.0%
1600	156	9.7%	13.7	40.0	26.9	26.6	32.0	34.7	39	25.0%	1	0.6%	0	0.0%	0	0.0%
1700	174	10.8%	12.5	42.7	27.8	28.0	33.3	35.8	56	32.2%	5	2.9%	0	0.0%	0	0.0%
1800	99	6.1%	13.7	35.9	25.9	26.4	31.8	33.3	21	21.2%	0	0.0%	0	0.0%	0	0.0%
1900	72	4.5%	13.0	42.6	26.7	25.5	33.8	37.1	18	25.0%	4	5.6%	0	0.0%	0	0.0%
2000	62	3.9%	9.0	38.9	24.7	24.2	30.2	32.0	12	19.4%	0	0.0%	0	0.0%	0	0.0%
2100	31	1.9%	17.6	33.4	25.0	23.9	30.2	32.7	6	19.4%	0	0.0%	0	0.0%	0	0.0%
2200	16	1.0%	15.3	33.0	24.9	24.6	30.4	32.7	3	18.8%	0	0.0%	0	0.0%	0	0.0%
2300	10	0.6%	15.5	35.4	24.8	27.3	29.1	35.3	1	10.0%	0	0.0%	0	0.0%	0	0.0%
----	**1610**	**100.0%**	**6.0**	**50.2**	**25.9**	**26.2**	**31.5**	**34.4**	**380**	**23.6%**	**18**	**1.1%**	**3**	**0.2%**	**1**	**0.1%**

TOTAL

1,230 ∠ PSL (30)
76.4 %

05/04/2012

CITY OF BASTROP **AGENDA ITEM D.2**

STANDARDIZED AGENDA RECOMMENDATION FORM

CITY COUNCIL **DATE SUBMITTED: May 3, 2012**

MEETING DATE: May 8, 2012

1. Agenda Item: **Consideration, discussion and possible action on awarding the bid for the Bastrop Power & Light Training Building.**

2. Party Making Request: **Michael H. Talbot**

3. Nature of Request: (Brief Overview) Attachments: Yes __X___ No ______

Attached for your review is the bid tabulation sheet for the proposed Bastrop Power & Light Training Building. The construction of this "Training Building" was approved in FY-12 budget. Fazzone Construction was low bidder in the amount of $247,800.00. This bid was considerably higher than amount approved in the FY-12 budget. Attached for your review is a "Training Building Reconciliation Sheet" which illustrates the Budget shortfall. It is being proposed to cover the budget shortfall by: 1) The City staff and I have worked with the architect and contractor and are proposing to make a reduction of $20,853.60 in construction elements if the contract is awarded to Fazzone; 2) The City will be receiving funds back from the LCRA ESA account in the amount of $95,492.56. The ESA account is the amount the City has paid in over the years for marketing activities done by LCRA for the City. Since LCRA will no longer be providing this service for the City the fund balance is being returned to the City and 3) This still leaves a budget shortfall of $14,909.93 plus a 2% or $4,500.00 for public art in public places for a total shortfall of $19,409.93. I have reviewed this shortfall with the City's Chief Financial Officer and have been advised that the electric fund operating budget is in a very good position at this time and can cover the additional amount of $19,409.93. Bastrop Power and Light has been trying to build this training facility for several years and it is greatly needed by the department. Further this training facility can be used by Street Department, Parks Department, and Water & Wastewater Department or really by any department in the City.

4. Policy Implication: ______________________________

5. Budgeted: __________Yes __________No N/A
   Bid Amount: ______________ Budgeted Amount: ______________
   Under Budget: ______________ Over Budget: ______________
   Amount Remaining: ______________

6. Alternate Option/Costs: ______________________________

7. Routing:

	NAME/TITLE	INITIAL	DATE	CONCURRENCE
a)				
b)				
c)				

8. Staff Recommendation:

9. Advisory Board: _________Approved _________Disapproved ___________None

10. Manager's Recommendation: __________Approved __________Disapproved __________None

11. Action Taken: ____
____

BASTROP ELECTRIC CONFERENCE BUILDING																TABULATION OF BIDS RECEIVED
						Unit Price	Unit Price	Unit Price								3/1/2012
	General Contractors:	Base Bid $	Calender Days	MC Cable Alternate 1 $	Total	Phone $	Elec. $	Data $	Elec Sub	Mech Sub	Plumb Sub	Super Name	Bid Bond	Addenda 1	Addenda 2	Q.S.
1	Fore Const	263,000	112	1500		48	140	48					✓	✓	✓	✓
2	~~[illegible]~~															
3	~~Goetke Const~~	~~288,700~~	~~210~~	~~2300~~		55	200	55				✓	✓			✓
4	Adam/Meuth Const	274,900	90			110	130	110				✓				
5	Fazzone Const	247,800	120	1500		50	50	50				✓	✓	✓	✓	✓
6	S&G	275,000	70	2500		85	95	85				✓	✓	✓	✓	✓
7	B. Creek	268,000	120	600		95	125	95				✓	✓	✓	✓	
8																
9																
10																

Bastrop Power and Light

Training Building Reconciliation

Fiscal Year 2012

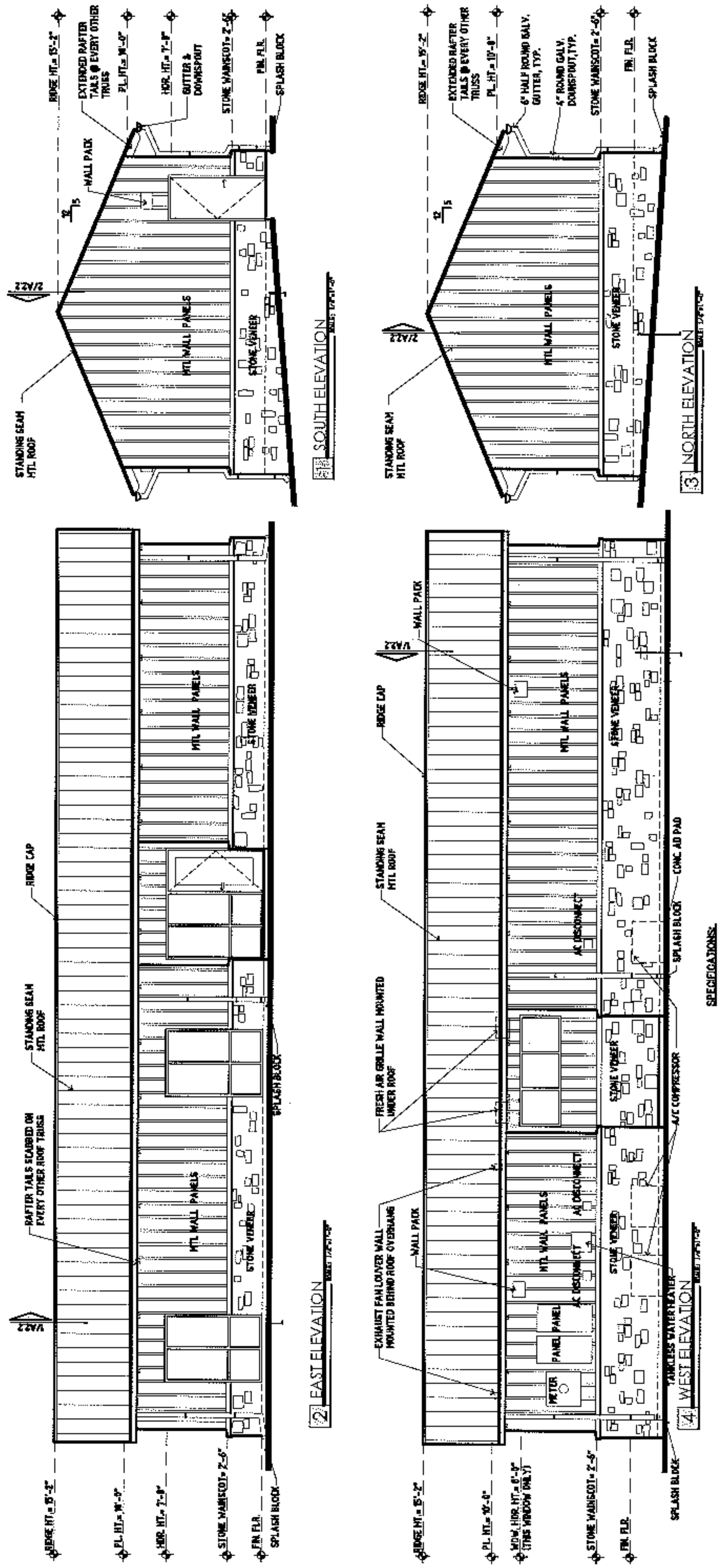
Current Budget: 404-60-00-6050 Building			$ 140,000.00
YTD expenses as of 05/01/2012:			
	Bid Advertisement	$ 912.00	
	Architectural Fees	$ 9,868.79	
	Engineering Fees	$ 7,682.50	
	Other Expenses	$ 4,992.80	
			$ 23,456.09
Amount remaining in Current Budget:			$ 116,543.91

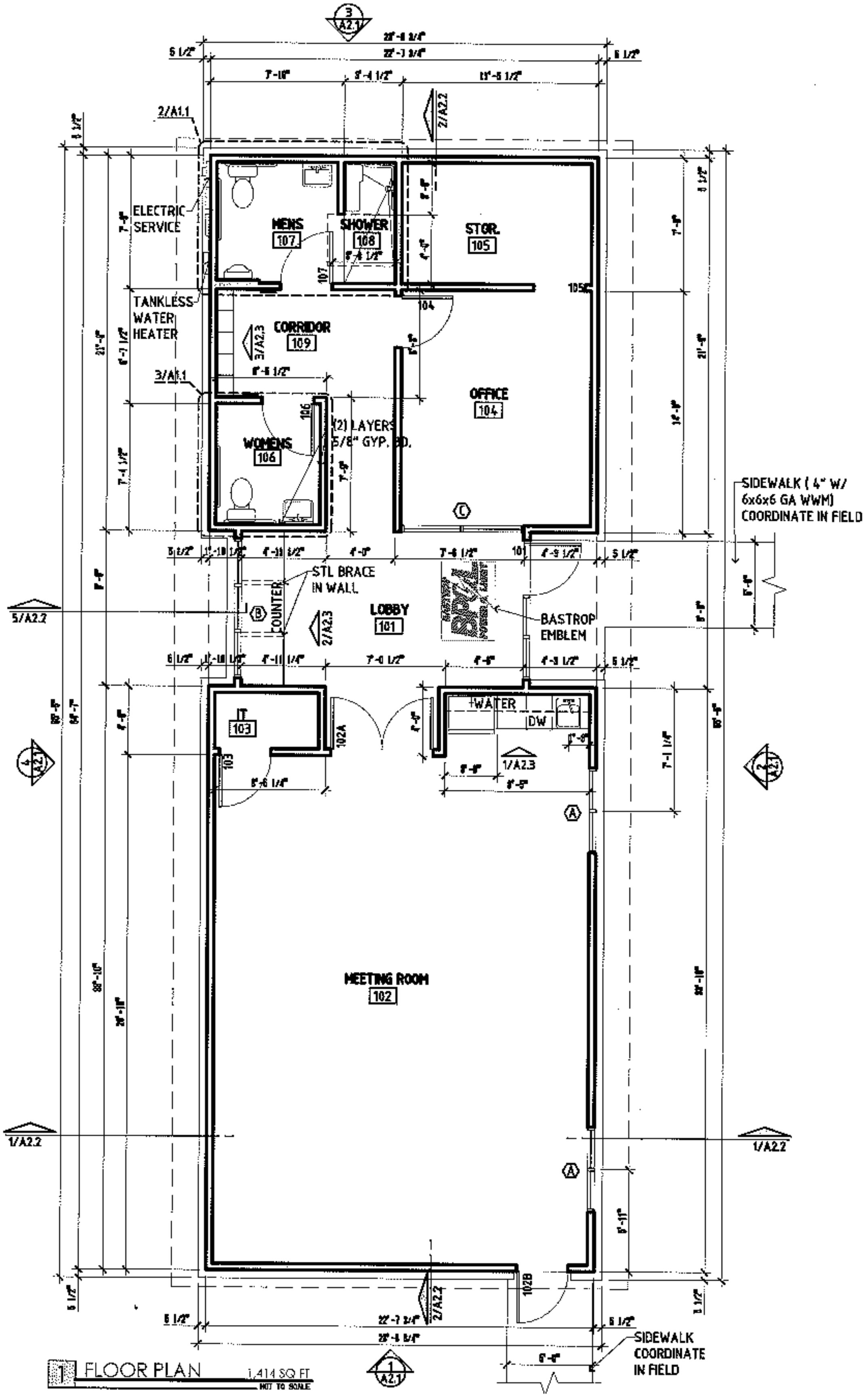
Construction Bid/ FAZZONE

Base Bid received for Construction:		$ 247,800.00
	less adjustments:	$ (20,853.60)
Total price of bid:		$ 226,946.40

Summary

Amount remaining in Current Budget:	$ 116,543.91
Total adjusted price of construction bid:	$ (226,946.40)
Difference:	$ (110,402.49)
Available funding in ESA account:	$ 95,492.56
Difference:	$ (14,909.93)


SOUTH ELEVATION
NORTH ELEVATION
EAST ELEVATION
WEST ELEVATION
MTL WALL PANELS
STONE VENEER
STANDING SEAM MTL ROOF
RIDGE CAP
WALL PACK
SPLASH BLOCK
SPECIFICATIONS:


ELECTRIC SERVICE
TANKLESS WATER HEATER
MENS 107
SHOWER 108
STOR. 105
CORRIDOR 109
OFFICE 104
WOMENS 106
(2) LAYERS 5/8" GYP. BD.
STL BRACE IN WALL
COUNTER
LOBBY 101
BASTROP EMBLEM
SIDEWALK (4" W/ 6x6x6 GA WWM) COORDINATE IN FIELD
IT 103
WATER
DW
MEETING ROOM 102
SIDEWALK COORDINATE IN FIELD
FLOOR PLAN 1,414 SQ FT
NOT TO SCALE